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For the Anthology.

THE REMARKER. *No.* 16.

.....a gibing spirit,
Whose influence is begot of that loose grace,
Which shallow laughing hearers give to fools. SHAKESPEARE.

THE scanty portion of happiness, and the abundant diffusion of misery over the world, has been a constant source of lamentation in all ages, and in all states of society; but that the degrees of each depend more upon ourselves, than we are willing to believe, is perhaps as well founded in truth, as it may appear to be paradoxical: to complain of fortune, and reproach each other, are privileges we seem to cling to as tenaciously, as to existence; to estimate them above the price of happiness itself; and think, that peace and contentment would be purchased dearly by making them a sacrifice. In proportion as the progress of science and extension of literature have tended to ameliorate the condition of life, and refinement of taste to polish the manners; mankind have been ingenious to counterbalance these blessings by fictitious sorrows and artificial evils; by listlessness and languor, by peevishness and spleen, by arrogance and conceit, which reason is not suffered to repress, and by insatiable vanity, which, generally being as coarse in taste, as voracious in appetite, can find some kind of gratification in every place. But perhaps there is nothing, which so much disturbs the tranquillity of social life, as that mocking, gibing spirit, which the Poet of Nature has justly condemned; which, though the possessors flatter themselves to be the effect of superiour quickness and penetration, has ever been considered by the wise, as characteristick of a light and superficial mind.

In highly cultivated society superiour talents are necessary to attain eminence, and even they will not always ensure success; but though the spirit of honourable ambition is felt by few, the desire of notice and distinction is common to all; hence the labours of egotism to display itself, and the exertions of vanity to extort admiration; hence peevish invective is indulged in the hope of being dreaded as well-directed satire, forward impertinence attempts to impose itself for an easiness of address, and flippant pertness sets up for a wit to rail at the ignorance and dulness of mankind. This gibing spirit, so frequently men-

tioned by Shakespeare, appears to have excited in his bosom a great degree of indignation and contempt; of contempt for the quality itself, as the offspring of a fool's vanity, and of indignation at those "shallow laughing hearers," whose injudicious applause gives it an influence, which renders it mischievous. That this propensity should abound in polished life is not to be wondered at, when we consider how insidiously vanity mixes itself with all our actions, and how much its sphere of exercise is enlarged by the decoration, pageantry, and caprice, which attend on luxury and fashion: but that this spirit should acquire an influence to make itself dreaded, we must account for by supposing these laughing hearers to be as cowardly, as they are complaisant, and that their applauses proceed as much from fear of being subject to its effects, as from the pleasure they take in seeing it employed on others.

It is evident, that ignorance and vanity are the legitimate parents of mockery and flouting. Those who best know themselves find imperfections enough at home to beget humility, and tenderness to the failings of others; and those who have made some advances towards the temple of wisdom, find more pleasure in the extension of their prospects, than pride in reviewing the small comparative progress they have made; but superficial minds, having reached as far as their feeble vision enabled them to see, believe they have attained the summit of excellence, and sit down in confidence to enjoy all the immunities of vanity; its pretensions being frequently not only unreasonable, but unbounded, are sometimes disputed; this generates a petulant disposition, which ferments and vents itself in ebullitions of petty malice and mean detraction. The imperfect state of man affords an abundance of crimes and follies, of deviations and mistakes, of strange and ridiculous circumstances, which require no extraordinary penetration to discover. It is easy enough for little beings to spend their time in hunting out the little foibles, humours, awkwardness, or peculiarity, of their neighbours; to hold them up to ridicule, and delight themselves and "shallow laughing hearers," with descriptions incessantly repeated. Cats, owls, and ferrets delight to hunt after vermin, because they feed on it afterwards; and monkeys will, for their own particular gratification, perform that office for which decency and cleanliness require the assistance of a comb; but generous natures find no gratification in such employment; their aim is to attain superiority, rather than degrade it; to encourage the diffident, rather than overwhelm them with confusion; and to support modest pretensions and honest endeavours, when in danger of being brow-beat by arrogance, or of shrinking from the jeers of a gibing spirit. A gibing spirit requires neither the keenness of satire, nor the brilliance of wit; it often affects these qualities, but supplies their place by prying curiosity, a spiteful temper, unblushing assurance, a loud tone, mimickry, exaggeration, and not seldom by falsehood. It is most frequently possessed by those whose vanity has been mortified, or whose extravagant pretensions few were willing to allow; by those whose chimerical notions of fancied happiness experience has overthrown, or whose malevolence has been defeated, and recoiled upon themselves; but it reigns triumphant

at the tea table, when thronged with gossips from every quarter, and of every kind. The ancient maiden, who too late regrets refusing offers as good as she had any right to expect; the gaudy or the slatternly wife, who married not from the impulse of virtuous affection, but that she might, with more impunity, indulge her darling propensities; the pretty insipid miss, whose head would be perfectly vacant of ideas, were there not in the world such things as muslin and lace, and trinkets and gewgaws, and dancing-masters and beaux; the coxcomb, who having left the college or shop, applies to his tailor and shoemaker to shape him into a gentleman, and after visiting the brothels and gambling-houses of foreign countries, calls himself a buck, and a man of the world; these generally compose the mass of "shallow laughing hearers," whose "loose grace" or vague and worthless applause give to a gibing spirit the influence and eclat it sometimes possesses; upon such suffrages it plumes itself, and acquires a confidence, which simple honesty and unaffected goodness observes with astonishment and fear, and which stern wisdom cannot easily put down.

Dec. 18, 1806.

CRITICISM.

"A SKETCH OF THE GENIUS AND WRITINGS OF DR. BEATTIE, WITH EXTRACTS FROM HIS LIFE AND LETTERS."

Concluded from p. 576.

ALTHOUGH Dr. Beattie experienced the happiness, as a philosopher, to have almost all the eminent divines on his side, such as Porteus, Hurd, Markham, &c. yet it seems he had not the unanimous concurrence of the Bench of Bishops. For in a letter to Mrs. Montagu, of March 13, 1774, he says, "Pray, Madam, be so good as to favour me with some account of the Bishop of Carlisle, Dr. Law, if he happens to be of your acquaintance. His Lordship, in a book lately published, has been pleased to attack me in a strange manner,* though in few words, and very superciliously seems to condemn my whole book; because I believe "in the identity of the human soul, and that there are innate powers, and implanted instincts in our nature." He hints, too, at my being a native of Scotland, and imputes my *unnatural way* of reasoning, (for so he characterizes it) to my ignorance of what has been written on the other side of the question, by some late authors. It would be a very easy matter for me to return such an answer to his lordship, as would satisfy the world, that he has been rather hasty in signing my condemnation; but perhaps it will be better to take no notice of it; I shall be determined by your advice. His doctrine is, that the

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* Considerations on the Theory of Religion, by Edmund Lord Bishop of Carlisle, p. 431. *Forbes.*

The Bishop was of a school of philosophers and divines, whom we have since had the happiness of seeing go out of fashion. But when the Editor was at Cambridge, the prejudices in favour of the dry, coarse, and fallacious modes of thinking and reasoning, of this hard old man, who then resided there, had not ceased. He was father of the present Lord Ellenborough.

human soul forfeited its immortality by the fall, but regained it in consequence of the merits of Jesus Christ; and that it cannot exist without the body; and must, therefore, in the interval between death and the resurrection, remain in a state of non-existence. The theory is not a new one; but his Lordship seems to be one of the most sanguine of its adherents. Some of the objections, drawn from the scripture, he gets the better of by a mode of criticism, which, I humbly think, would not be admitted in a commentary upon any other book."

In 1776, Dr. Beattie published his "Essays on Poetry and Musick; Laughter and Ludicrous Composition: and on the utility of Classical Learning." "My principal purpose," says he, "was to make my subject plain and entertaining; and, as often as I could, the vehicle of moral instruction; a purpose, to which every part of the philosophy of the human mind, and indeed of science in general, may, and ought, in my opinion, to be made in some degree subservient."

I will now add a few, and a very few, miscellaneous extracts; for I fear this article already grows too long.

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1785. "Johnson's harsh and foolish censure of Mrs. Montagu's book does not surprise me; for I have heard him speak contemptuously of it. It is, for all that, one of the best, most original, and most elegant pieces of criticism in our language, or any other. Johnson had many of the talents of a critick; but his want of temper, his violent prejudices, and something, I am afraid, of an evious turn of mind, made him often a very unfair one. Mrs. Montagu was very kind to him; but Mrs. Montagu has more wit than any body; and Johnson could not bear that any person should be thought to have wit but himself. Even Lord Chesterfield, and, what is more strange, even Mr. Burke he would not allow to have wit! He preferred Smollett to Fielding. He would not grant that Armstrong's poem on "Health," or the tragedy of "Douglas," had any merit. He told me that he never read Milton through, till he was obliged to do it, in order to gather words for his Dictionary. He spoke very peevishly of the Masque of Comus; and when I urged that there was a great deal of exquisite poetry in it; "Yes," said he, "but it is like gold hid under a rock;" to which I made no reply; for indeed I did not well understand it. Pray, did you ever see Mr. Potter's "Remarks on Johnson's Lives of the Poets?" It is very well worth reading."

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1788. "What Mrs. Piozzi says of Goldsmith is perfectly true. He was a poor fretful creature, eaten up with affectation and envy. He was the only person I ever knew, who acknowledged himself to be envious. In Johnson's presence he was quiet enough; but in his absence expressed great uneasiness in hearing him praised. He envied even the dead; he could not bear that Shakespeare should be so much admired as he is. There might, however, be something like magnanimity in envying Shakespeare and Dr. Johnson; as in Julius Cæsar's weeping to think, that at an age at which he had done so little, Alexander should have done so much. But surely Goldsmith had no occasion to envy me; which, however, he certainly did; for he owned it, (though when we

met, he was always very civil ;) and I received undoubted information, that he seldom missed an opportunity of speaking ill of me behind my back. Goldsmith's common conversation was a strange mixture of absurdity and silliness ; of silliness so great as to make me think sometimes that he affected it. Yet he was a great genius of no mean rank : somebody, who knew him well, called him an *inspired idiot*. His ballad of "Edwin and Angelina," is exceedingly beautiful ; and in his two other poems, though there be great inequalities, there is pathos, energy, and even sublimity."

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In 1790 Beattie lost his eldest son ; and in 1796, his remaining son. These successive shocks were too much for a tender heart ! already half broken by the sorrow for their mother's incurable malady. From the last event he at times lost his senses. "A deep gloom," says he, "hangs upon me, and disables all my faculties ; and thoughts so strange sometimes occur to me, as to make me "fear that I am not," as Lear says, "in my perfect mind."

Yet, on May 15, 1797, he wrote a letter to Mr. Frazer Tytler, somewhat in his former manner ; from whence the following extract is derived.

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"There is one translation, which I greatly admire, but am sure you never saw, as you have not mentioned it : the book is indeed very rare ; I obtained it with difficulty by the friendship of Tom Davies, an old English bookseller ; I mean, Dobson's "Paradisus Amissus ;" my son studied, and I believe, read every line of it. It is more true to the original, both in sense and spirit, than any other poetical version of length, that I have seen. The author must have had an amazing command of Latin phraseology, and a very nice ear in harmony. ****.

"Being curious to know some particulars of Dobson, I inquired of him at Johnson, who owned he had known him, but did not seem inclined to speak on the subject. But Johnson hated Milton from his heart ; and he wished to be himself considered as a good Latin poet ; which however, he never was, as may be seen by his translation of Pope's Messiah. All that I could ever hear of Dobson's private life was, that in his old age he was given to drinking. My edition of his book is dated 1750. It is dedicated to Mr. Benson, who was a famous admirer of Milton ; and from the dedication it would seem to have been written at his desire, and under his patronage.*

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* Dr. J. Warton says, that Benson "gave Dobson £.1000 for his Latin translation of Paradise Lost. Dobson had acquired great reputation by his translation of Prior's Solomon, the first book of which he finished, when he was a scholar at Winchester college. He had not at that time, as he told me, (for I knew him well) read Lucretius, which would have given a richness and force to his verses ; the chief fault of which was a monotony, and want of variety of Virgilian pauses. Mr. Pope wished him to translate the Essay on Man, which he began to do ; but relinquished on account of the impossibility of imitating its brevity in another language. He has avoided the monotony abovementioned in his Milton ; which monotony was occasioned by translating a poem in rhyme. Bishop Hare, a capable judge, used to mention his Solomon as one of the purest pieces of modern Latin poetry. Though he had so much felicity in translating, yet his original poems, of which I have seen many, were very feeble and flat, and contained no mark of genius. He had no great stock of general literature, and

1798. "I am acquainted with many parts of your excursion through the north of England, and very glad that you had my old friend Mr. Gray's "Letters" with you, which are indeed so well written, that I have no scruple to pronounce them the best letters, that have been printed in our language. Lady Mary Montagu's "Letters" are not without merit, but are too artificial and affected to be confided in as true; and Lord Chesterfield's have much greater faults; indeed, some of the greatest that letters can have: but Gray's letters are always sensible, and of classical conciseness and perspicuity. They very much resemble what his conversation was. He had none of the airs of either a scholar or a poet; and though on those, and all other subjects, he spoke to me with the utmost freedom, and without any reserve, he was, in general company, much more silent than one could have wished."

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Dr. Beattie died Aug. 18, 1803, æt. 68.

His character has been as justly and eloquently, as briefly, sketched by Mrs. Montagu, in a letter to himself. "We considered you," says she, "as a poet, with admiration; as a philosopher, with respect; as a Christian, with veneration; and as a friend, with affection." He clearly directed his ambition to excellence, rather as a philosopher, than as a poet; and yet it is apparent, that these studies were not congenial to his natural taste; but that they fatigued and oppressed him. In these paths he seems to have arrived at the utmost height, of which his powers were capable; but this is far from being the case with the poetry he has left. Beautiful as is his Minstrel, yet, had he concluded it on the plan he originally intended, which I must venture, in opposition to Dr. Aikin, to say, was easily within the scope of his genius, he would have contributed very materially both to its variety and its interest. I will add that the innocent and exalted occupation might have soothed his broken spirits, and gilded the clouds of his latter days.

It is not easy to guess, when we consider the opinions which this excellent author himself promulgated in his philosophical works, on what ground he depreciated the dignity, or the use, of his capacity as a poet. But it is certain that, at least for the last thirty years of his life, he did slight and neglect it most unjustly. There is no adequate reason for considering it inconsistent with his professional functions, which his exemplary virtue induced him to discharge with uncommon industry and attention. It would, on the contrary, have relieved the toil of them, by a delightful diversity of ideas. But it may be suspected, that there was a certain timidity in this good man's mind, not entirely consonant with the richness of his endowments. In the cause of religion indeed, his piety made him bold; but he was otherwise a little too sensible of popular prejudices.

The goodness of the cause and the particular occasion, has added an accidental value to his great philosophical work, "The Essay on Truth." But I believe I am not singular in asserting, that his genius is least capable of rivalry in that "Minstrel," on which he

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was by no means qualified to pronounce on what degree of learning Pope possessed; and I am surprised that Johnson should quote him, as saying, "I found Pope had more learning than I expected." *Warton's Pope*, V. 240.

bestowed so little comparative attention: while it is apparent that, even there, his severer studies occasionally encumbered and depressed his fancy. Burns knew better the strength which nature had bestowed on him, and giving full scope to it, succeeded accordingly.

The Letters which are now published, exhibit Dr. Beatie's moral character in the most amiable light. Their style unites ease and elegance; and they prove the correctness of his opinions, the nicety of his taste, and the soundness of his judgment. They discover, above all, the tenderness of his heart, and the fervour of his religion. But the frankness of truth demands from me the confession, that they do not appear to me to possess those characteristick excellences, as literary compositions, which enchant us in the letters of Burns and Cowper; and which none but themselves could have written. He has nothing like the touching simplicity of the poet of Weston; nor any thing like the ardent eloquence of the Bard of Airshire.* He scarce ever indulges in sallies congenial with the rich warblings, which used to flow so copiously from the harp of the inspired Edwin.

I would now willingly enter into the peculiar traits both of the poetical and prose works, on which Beattie's fame was founded; but this article is already too long; (I hope my readers will not think it out of place;) and I have now neither room nor leisure for more, except to say, that as a poet he possessed an originality, and an excellence, to which I doubt whether justice has yet been done.†

July 2, 1806.

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* I do not recollect that the names of Cowper, or Burns, once occur in Beattie's own letters, which is singular.

† It has long been my wish, if Providence should ever permit me a little continued leisure from the sorrows and perplexities, by which I have for some years been agitated, to enter into an entire separate Disquisition on the Poetical Character; its tendencies; the mode in which it should be cherished; and the benefits to be derived from it.

BIOGRAPHY.

For the Monthly Anthology.

LIFE OF RICHARD BENTLEY, D. D.

[Concluded from page 567.]

Τιμιωτατα μεν και πρωτα τα περι την ψυχην αγαθα.—PLAT. de Leg. IV.

WE cannot enter into a particular examination of Bentley's corrections on the present occasion, as the life of our favourite critick has already extended far beyond the proposed limits. One emendation we must transcribe, as it is very happy, and elucidates a passage which was neither measure nor sense. Lib. V. 733.

Utque per ingentes populus describitur urbes
Præcipuumque patres retinent, et proximum equester
Ordo locum; populumque equiti, populoque subire
Vulgus iners videas, et jam sine nomine turbam:
Sic etiam magno quædam RESPUBLICA *mundo est.*

In the last line some copies have *respondere*, and the best manuscript has *res pendere*, instead of *respublica*, which we owe to the critical acumen of Dr. Bentley. The word was originally, he supposes, written *resp.* and from this the blundering transcribers derived their

respondere : of which the learned editor in his note says : *Respondere conjugationis tertiæ omnem barbariem exsuperat. Nec scias numeri an sententia sit pejor.*"

Toup mentions this passage in his *Epistola Critica* with its due portion of praise : " *Quin et, dum hæc scribo, commodum in mentem venit emendationis Bentleianæ in Manilium, quam hæc occasione monitus, hic in transitu sublevandam curabo, nam et mea post me alii curabunt scilicet.*" He then quotes the passage, and gives the last lines as it stands in the common copies :

Sic etiam magno quædam respondere mundo.

Locus elegantissimus, sed versus postremus manifesto corruptus est : emendabat Bentleii sagacitas :

Sic etiam in magno quædam RESPUBLICA *mundo est.*

Quod alii veri, alii falsi simile esse dicuntego vero nihil ertius esse affirmo. Fidem faciet Lactantius, Epit. cap. 2. *Sic* IN MUNDI REPUBLICA, *nisi unus fuisset moderator*, &c. There are several other emendations, which display as much critical sagacity, and equally merit adoption ; though Bentley has been accused of pretending not to understand passages in Manilius, merely to have an opportunity of exercising his abilities at correction. We do not pretend to vouch for the truth of this accusation, but must confess that we do not give it much credit. Such an affectation of ignorance could only produce ridicule, for if Bentley chose to be blind and dull himself, he could not suppose that the world would, therefore, be less sharp sighted.

The Astronomicon of Manilius was the last classical work which Dr. Bentley lived to publish, although he was among the first authors on whom he employed his corrective talents, with a view to publication. In the preface to his immortal dissertation on the Epistles of Phalaris, he says : " I had then prepared a Manilius for the press, which had been published already, had not the dearness of paper, and the want of good types, and some other occasions, hindered me."

In the former part of this life, we intentionally omitted mentioning Bentley's views, with regard to Manilius. We shall now transcribe from the same preface whatever relates to this subject.

Bentley had been accused by Boyle of sending a manuscript treatise about Theodorus Mallius, written by Rubenius, to Grevius, for publication, without mentioning Sir Edward Sherburn's name, from whom he had received it. This charge Bentley fully confutes. " I had prepared, he says, a new edition of Manilius ; which design being known abroad, occasioned my acquaintance with Sir Edward Sherburn, who had formerly translated the first book of that poet into English verse, and explained it with a large commentary. He had got together some old and scarce editions, which he courteously lent me ; and beside those, he had purchased at Antwerp, by the means of a bookseller, a whole box full of papers of the famous Gaspar Gevartius's, who undertook an edition of the same poet, but was prevented by death."

Among these papers he found little of any consequence, but the manuscript already mentioned, which he sent to the learned Grevius, who quite forgot the circumstances of Sir Edward Sherburn's box, when he published the book, and incautiously dedicated it to Dr. Bentley. He, however, after-

wards apologized very sufficiently for this neglect, in a letter to our learned critick, which he thus concludes: "*Vale—et tibi persuade, te doctos omnes viros maximè facere, rumpantur ut ilia Codris; sed neminem esse qui te majoris faciat, et magis æstimet quam ego te facio.*" In the former part of the epistle, he confesses that the omission of Sir Edward's name was *his own fault*, and that Bentley was not in the least censurable.

In the same box of Gevartius's papers, there were two copies of a discourse on the age of the poet Manilius, by the learned Godefridus Wendelinus. One of these Sir Edward presented to Bentley, who proposed to prefix the whole, or a part of it, to his edition of the Astronomicon. It is much, therefore, to be lamented, that the Doctor did not write the preface or *prolegomena* to this edition, as the learned world might then have been in possession of his sentiments with regard to this author, and his various editors and commentators, more fully than they are stated by his nephew.

In the account of Bentley's early life, one circumstance was omitted. About the time of the publication of his Epistle to Dr. Mill, on the Chronography of Malela, he published a specimen of a new edition of Philostratus, at Leipsic. Only one sheet was printed. This circumstance is mentioned by the indefatigable Fabricius, and by Olearius, in his preface to the works of Philostratus. They do not, however, mention the reason of his laying his plan aside. He intended to have given the text in a more correct manner than former editors, with notes and a new Latin version. We cannot help lamenting that Bentley did not prosecute his design. Every edition of the ancients executed by such a scholar must have been valuable; and it is rather surprising, when his deep knowledge of Greek is considered, that he did not devote his time seriously to publishing more of the writers in that language. He executed, indeed, much less than he proposed; but the quarrels, into which he was involved by his enemies, may, in some measure, account for the fewness of the authors, whose works appeared under the auspices of the great Bentley.

In the year 1740 Dr. Bentley lost his lady, whom he had married soon after he was preferred to the mastership of Trinity-College. He did not long survive her, but died the fourteenth day of July, 1742, and was buried in Trinity-College chapel. The following short inscription is placed on the stone which covers his grave:

H. S. E.
RICHARDUS BENTLEY,
S. T. P. R.
OBIIT XIV. Jul. 1742.
ÆTATIS 80.

These are all the monumental honours of this great man, who needed not the inscription of a tomb-stone to transmit his memory to posterity*.

He left behind him three children. His son, Mr. Richard Bentley, who was educated under the Doctor's inspection, at Trinity College, of which he was chosen fellow, succeeded his father as Royal Librarian at St. James's, but resigned that place in 1745. He died in the year 1782, and was more eminent for his elegant taste in the polite arts, than for his philological acquisitions. He displayed his ingenuity and fancy in the admirable designs which he made ....

* Biog. Brit. v. 1. p. 242. note FF.

for Mr. Gray's poems, which were afterwards engraved & published. To his pen the publick are indebted for the tragedy of Philodamus, which Mr. Gray esteemed so highly, that he wrote a commentary on it, and pronounced it to be one of the first poetical compositions in the English language. Good *dramatick poems*, however, are not always good *plays*. It was introduced on the stage, above fifteen years after its publication, in 1782, at the Theatre Royal in Covent-Garden, but it did not succeed.

Dr. Bentley's elder daughter, Elizabeth, was married about the year 1727, to Sir Humphry Ridge, the eldest son of Mr. Ridge, who possessed a considerable fortune, and was brewer to the navy at Portsmouth. A grandson of the learned Dr. Cumberland, Bishop of Peterborough, married his younger daughter, Joanna, a few years after, and died not long ago Bishop of Kilmore, in Ireland. Their son, Mr. Cumberland, who is so well known in the dramatick world, and who defended the character of Dr. Bentley against the attacks of the Bishop of London, may exclaim

Descendam magnorum haud unquam indignus avorum.

From the grandson of Dr. Bentley, and the great grandson of the Bishop of Peterborough, literary abilities might be naturally expected.

But these were not the only *offspring* which Dr. Bentley left behind him.

"*Est tibi quæ natos Bibliotheca parit.*"

Besides his ample collections for the Greek Testaments and Jerom's Latin version, he left an Homer, with marginal notes and emendations, preparatory to an edition which he proposed to publish; and a corrected copy of the Bishop of Peterborough's celebrated book, *De Legibus Naturæ*. Both of these † are intended to be laid before the publick. Almost all his classical authors were enriched with his manuscript notes, and are still in the possession of his executor, Dr. Richard Bentley, or Mr. Cumberland. From one of these, in the year 1744, Squire procured Dr. Bentley's *Animadversiones* on Plutarch's treatise *De Iside et Osiride*, and by the consent of the executors, incorporated them into his edition of that piece, with those of Markland and other commentators. Many of these corrections bear the genuine mark of critical sagacity, which Bentley has stamped in a greater or less degree on all his performances.

In 1746, among the prefaces and dedications, which the learned Alberti prefixed to his splendid edition of Hesychius, appeared an inedited letter written by Dr. Bentley, in the year 1714, to John Christian Biel, at Brunswick, *De Glosis sacris in Hesychio insititiis*. This is a very curious and valuable letter, as it shews the great advantages which Bentley derived from this lexicographer, in the prosecution of his studies, and at what an early period that marked attention, and extraordinary acuteness displayed themselves, which shone forth so conspicuously afterwards in all our critick's philological disquisitions.

In 1760 Mr. Horace Walpole, whose singular abilities and strenuous exertions in the cause of literature are superiour to our praise, printed, at Strawberry hill, a splendid edition of Lucan, in quarto, with the notes and corrections of

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† Biog. Brit. pp. 244, 247.

Dr. Bentley. The superintendance of the press was committed to Mr. Cumberland, who performed his part of the work with equal learning and fidelity.

The publick had been long in possession of some of Bentley's annotations on Lucan, which were inserted in his remarks on Collins' Freethinking. This work, however, added a fresh laurel to his wreath, as he has restored many passages by his judicious and elegant corrections, which were absolutely unintelligible, and elucidated many difficulties by his acuteness, which had baffled the sagacity of former annotators.

Such are the particulars which we have been able to collect concerning the life and writings of Dr. Richard Bentley. In the mode of arrangement, a plan has been adopted very different from that which the ingenious authors of the *Biographia Britannica* have pursued. The transactions of his life, and the account of his writings, have been blended in the same narrative. For the publications of an author, like the marches and countermarches of a general, form the chief part of his history, and ought surely never to be separated from the relation of private or other occurrences. To the accounts of this great man which have already been published we have added many particulars, and have ventured to intersperse our narrative with critical remarks on his different works, in order to render it more worthy the attention of our learned readers. But to close these memoirs. We shall conclude with the words with which the learned Englishman, Toup, finishes his *Epistola Critica* to Bishop Warburton: "Atque hic finem facio *vitæ* prolixiori: in qua si quid, currente rota, inconsulte aut intemperanter nimis, qui mos nostrorum hominum est, in Bentleium nostrum dixi id omne pro indicto velim: BENTLEIUM inquam, Britanniæ nostræ decus immortale:— quem nemo vituperare ausit, nisi fungus; nemo non laudet, nisi Momus.

"His saltem adcumulem donis, ac fungar inani
"Munere."——

T. T.

For the Monthly Anthology.

SILVA. No. 22.

Inter silvas Academi quærere verum. HOR.
To range for truth in Academick groves.

VOLTAIRE.

OF this most distinguished name in French literature we may say, many have written better, but none in the last century so much. Yet he will forever be exempt from the common fate of such authors, the load of whose indifferent productions weighs down and ultimately sinks the rest. All the paths of learning were open to him, and we are not therefore to wonder, that in some his progress was short. He is perhaps greater in poetry, than in any other of his undertakings; yet he was much inferiour to many of his contemporaries in classical erudition. But the charm of his style delights all, whom his knowledge fails to instruct. When he ceases to astonish by profundity, he en-

gages by his ingenuity. Omnis Aristippum decuit color, et status, et res.

In our country he is best known as a historian, and his character may be quoted with advantage from the most learned of historians. "I believe that Voltaire had for this work, (age of Louis XIV.) an advantage, which he has seldom enjoyed. When he treats of a distant period, he is not a man to turn over musty monkish writers to instruct himself. He follows some compilation, varnishes it over with the magick of his style, and produces a *most agreeable, superficial, inaccurate performance*. But there the information, both written and oral, lay within his reach, and he seems to have taken great pains to consult it. Without any thing of the majesty of the great historians, he has comprized in two small volumes a variety of facts, told in an easy, clear, and lively style. To this merit he has added that of throwing aside all trivial circumstances, and choosing no events, but such as are either instructive or entertaining."*

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WATER SPOUTS.

We have summer and winter storms in Thomson, and many a student has trembled with other dread, than of his tutor, over the description of the tempest in Æn. I.; even one of our most interesting poets has chosen a "Shipwreck" for his subject, and adorned it with every aggravation of misfortune, and every charm of language. But we are in these cases rather interested in the consequences, than terrified by the instant appearance of the danger.

....

* Gibbon's Miscel. Works.

What poetick picture in Homer, or Virgil, or in the greatest master of the terrifick, Milton, surpasses, or even equals, the following description of a water-spout.

.... Oft, while wonder thrill'd my breast, my eyes
To heav'n have seen the watry column rise.
Slender at first the subtle fume appears,
And wreathing round and round its volume rears,
Thick as a mast the vapour swells its size;
A curling whirlwind lifts it to the skies;
The tube now straitens, now in width extends,
And in a hov'ring cloud its summit ends;
Still gulp on gulp in sucks the rising tide;
Till now the tide, with cumbrous wreath supplied,
Full gorg'd, and black'ning, spreads, and moves more slow,
And waving trembles to the waves below.
Thus, when to shun the summer's sultry beam,
The thirsty heifer seeks the cooling stream,
The eager horse-leech, fixing on her lips,
Her blood with ardent throat insatiate sips,
Till the gorg'd glutton, swell'd beyond her size,
Drops from her wounded hold, and bursting dies.
So bursts the cloud, o'erloaded with its freight,
And the dash'd ocean staggers with the weight.—*Camoen's Lus. 5. tr. Mickle.*

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AMERICAN TRAVELLERS.

Foreign travel should be the last, and therefore must be an important, part of the education of a gentleman. Though it does not strengthen the mind, it purifies it from the disease of prejudices, inhaled with the atmosphere of our native community; though it cannot create taste, it refines and directs it; and though it may not confirm the moral principles, it

certainly polishes the manners. Some have ascribed to it miraculous power upon the moral constitution, rendering the foolish wise, and the avaricious munificent. But the authority of Horace in all questions more difficult than this, in all questions where knowledge of human nature will influence the decision, is absolute. *Coelum, non animum, mutant, qui trans mare currunt.* The vicious disposition is never changed by change of place; nor will he ever become profound, who is originally shallow, though he pass even the limits of the fame of Tully, the waters of the Tigris, or the cliffs of Caucasus. Men of inferiour minds may often be rendered serviceable by sober discipline, at home, whose only acquisition from travel will be to make their folly vivacious, and their ignorance loud and conceited. The incongruous vulgarities of England and France, of Italy and Germany unite in many, like the colours of Harlequin's coat, whose dissimilarity is the more conspicuous from their juxtaposition.

There seems to have been little system among our countrymen in visiting foreign regions. More have gone for business than for health, and more for health than for information. Few have been able to boast more than the least valuable half of the experience of Ulysses, *Qui mores hominum multorum vidit et urbes.* We have sent abroad many gentlemen, but they have sometimes on the continent of Europe been desirous to pass for Englishmen; because American travellers are too often our sailors brutal and vicious, or factors indigent and illiterate. The English have been contemptuously denominated by their old enemies a nation of shopkeepers; and, as we are descended from them, and are thought to have degenerated, the French will soon call us a community of hucksters. The notion often entertained of us is, that, when incited by prospect of gain, nothing is too dangerous for us to attempt, nothing too infamous for us to perform. Hence to defraud a trader from America is deemed more a trial of skill, than a violation of the laws of morality.

SIR JOHN DENHAM.

O could I flow like thee, and make thy stream
My great example, as it is my theme!
Though deep, yet clear; though gentle, yet not dull;
Strong without rage; without o'erflowing, full.

Of this famous passage, to which Dryden has nothing equal, and Pope nothing superiour, Dr. Johnson has an excellent criticism, concluding in this remarkable language..." It has beauty peculiar to itself, and must be numbered among those felicities, which cannot be produced at will by wit and labour, but must arise unexpectedly in some hour propitious to poetry." The "strength of Denham" was long reverenced by our poets; and I should unwillingly believe, that his simplicity of language, which always accompanies energy of thought, is the reason of his being less regarded, than formerly. Pope's "Windsor Forest" is an imitation of "Cooper's Hill;" yet, although the whole compass of English descriptive poetry offers no rival to the picture of the Thames in about forty lines of the latter, Pope has ten readers, where Denham has one.

Translation, which now composes so large a part of our literature, had been long confined in the disgraceful shackles of literal ex-

actness. No *faithful interpreter* in England, spurning the fear of his pedagogue, had yet dared to follow the dictate of reason and the advice of Horace, *Nec verbum verbo curabis reddere*, before Denham pointed the way. He gives the perfect eulogy of a perfect translator in a single line, "True to his sense, but truer to his fame."

No poet, ancient or modern, whose subject was not chosen expressly to afford moral and religious instruction, has so many ethical axioms; and his advice is better on politicks, than any other theme. The mention of *Magna Charta* leads him into the causes of the civil wars, and he may be considered as prophesying in almost every line. His master Charles had good reason, soon after, to think,

Who gives constrain'd, but his own fear reviles,
Not thank'd, but scorn'd; nor are they gifts, but spoils.

The futility of the royal artifices, and the insanity and violence of the popular party, are finely illustrated.

When a calm river, rais'd by sudden rains,
Or snows dissolv'd, o'erflows th' adjoining plains,
The husbandmen with high-rais'd banks secure
Their greedy hopes, and this he can endure;
But if with bays and dams they strive to force
His channel to a new, or narrow course,
No longer then within his banks he dwells,
First to a torrent, then a deluge swells;
Stronger and fiercer by restraint he roars,
And knows no bound, but makes his power his shores.

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LOTTERIES.

To all lotteries I am opposed, as it seems certain, they must have an injurious effect upon the publick morals. The means are within every man's reach of obtaining a prize, superiour to any reward of talents, or remuneration of many years industry. Many an apprentice is tempted to pilfer from his master's counter, many a chambermaid improves opportunities for stealing with impunity, and many a labourer cheats his family of their bread, to adventure upon the ocean of chance in hope of immense profit, which will render such practices unnecessary in future. All private lotteries are forbidden under heavy penalties, and if publick ones only render the evil of gaming more extensive, why are they allowed? It is the meanest way a legislature ever pursues of laying a tax. Hundreds of gambling houses are licensed in Paris and pay large gratuities to the corrupt government, that encourages them; thousands of the strumpets also are employed, as spies, and Talleyrand would never diminish their numbers or their utility. But I hope the perverse policy of France will never be adopted here.

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AMERICAN LITERATURE.

A taste for the belles lettres is rapidly spreading in our country. We have indeed few profound scholars in any branch of science; but, so far as it subserves the general amusement of life, so far as it enlivens conversation and lessens the *tædium vitæ*, reading is not less attended to in America, than in any other part of the world. I believe, that, fifty years ago, England had never seen a miscellany or a review, so well conducted, as our Anthology, however superiour such publications may now be in that kingdom. Shakespeare's Merchant of Venice was altered by George Gran-

ville, and called the Jew of Venice. The English nation tolerated this disgraceful substitution, till near the middle of the last century, and the prologue was spoken by the ghosts of Shakespeare and Dryden, who ascended from beneath the stage, crowned with laurel. The prologue-writer complimented the taste of the community by making the representative of the great dramatick bard speak thus:

These scenes in their rough native dress were mine;
But now, improved, with nobler lustre shine.
The first rude sketches Shakespeare's pencil drew,
But all the shining master-strokes are new.
This play, ye criticks, shall your fury stand,
Adorn'd and rescued by a faultless hand.

—

COWPER

is the most popular poet in our language. His favourable reception is owing to no adventitious circumstances, which frequently raise into general celebrity writers, that will never afterwards be remembered. His is the language of nature, delivered more faithfully, than were ever the responses of the oracle by the priestess of Delphos. "From grave to gay, from lively to severe," all are charmed with Cowper. Yet he indulges in no personal satire, and why does he please the censorious? He despises the artifices of fashion, and why is he the favourite of the dissipated, and the thoughtless? No one, of any mental refinement, is so corrupt, so remote from the simplicity of reason and of truth, as not to peruse the Task with delight. His moral lectures are received without jealousy, and obeyed without repugnance. Though only called "to dress a sofa with the flowers of verse," he has happily deviated to adorn every subject of general interest. It is a perpetual episode. His wit is often epigrammatick, like that of Young, without his severity. The reflections, with which he concludes the description of the immense palace of ice, built by the empress of Russia, I have heard cited by a lady, as a fine instance of simplicity, though glowing with antitheses.

Alas! 'twas but a mortifying stroke
Of undesign'd severity, that glanc'd
(Made by a monarch) on her own estate,
On human grandeur and the courts of kings.
'Twas transient in its nature, as in show
'Twas durable; as worthless, as it seem'd
Intrinsically precious; to the foot
Treacherous and false; *it smil'd, and it was cold.*

Cowper's version of Homer will only serve as a beacon to warn future adventurers. It can only be read by those, who, acquainted with the original, wish to observe, how, in transfusing every thing with exactness from the ancients, nothing will be gained by the moderns. The effulgence of the Grecian bard, "dark with excessive bright," overpowered the mortal vision of Cowper. He offers us only the inanimate skeleton, the bones and the muscles of Homer, in their terrifick nakedness, and for this we were to surrender the breathing image from the hands of Pope, arrayed in his appropriate robes, and glowing with the *lumen purpureum* of eternal youth.

To the Editors of the Anthology.

GENTLEMEN,

Having lately examined the ancient laws of this State, relative to the constitution and rights of churches in the town of Boston, and reduced them into a digest, I submit it to you for insertion, provided you shall not deem it incompatible with the object of your useful miscellany. ANTIQUARIUS.

THE RIGHTS OF PROTESTANT CHURCHES IN THE TOWN OF BOSTON.

TO constitute a body corporate, it is not necessary that there should be a formal act of incorporation. For if any body of men are, by the supreme authority of the state, recognized as such, it will be a virtual act of incorporation. In the early settlement of this commonwealth, so unrefined were the inhabitants in their legal notions, that districts were constituted and invested with municipal rights by a single order of the governour and assistants of the colony, that they should be called by certain names. There is no other act of incorporation for the towns of Boston, Salem, Ipswich, and most others in the commonwealth. In considering the rights of the churches in Boston, we shall have occasion to notice the above principle, as none of them have, until very lately, been incorporated into distinct religious communities by special acts of the government.

The congregations in Boston are invested with rights and immunities, which have descended entire through successive generations. Now where a body of men do possess certain rights, which they can, under a general name and in their united capacity, legally maintain, which rights have descended to them, but will not die with them ; they are corporations, " maintaining a perpetual succession and enjoying a kind of legal immortality." As for the origin of these communities, they may claim corporate rights both from *prescription* and by *implication* from acts of the colony, province, and commonwealth. They have names, by which they are distinguished from each other, they may raise monies, they may sue and be sued, and they may do all legal acts, which may be done by other artificial persons.

In these communities there are several distinct corporate bodies, each known in law, and having its peculiar rights and duties ; viz. 1. The Church. 2. The Minister. 3. The Deacons, and, in episcopal churches, Church Wardens. And 4. the Proprietors of Pews.

1. The Church. By a law of the colony,* passed in 1641, it is declared, that " all the people of God within the jurisdiction, who are not in a church way, and be orthodox in judgment, and not scandalous in life, shall have liberty to gather themselves into a church estate, provided they do it in a christian way." But it adds, " that the General Court will not approve of any such companies of men, as shall join in any pretended way of church-fellowship, unless they shall acquaint three or more magistrates dwelling next, and the elders of the neighbour churches, where they intend to join, and have their approbation therein." In the same law it is enacted,

....

* Laws and Liberties of the Colony of Massachusetts, 43.

"that every church hath free liberty of election and ordination of all her officers from time to time, provided they be able, pious, and orthodox. By the expression "the church," is here meant, according to a definition thereof contained in a law passed in 1660,* such as are in full communion only." The teaching officer is intended, "the minister to all the people where the church is planted." All inhabitants, who were not in full communion, were excluded from any right in the choice, and if any one such should presume to act therein, he was accounted a disturber of the peace, and might be punished by the court of the shire, by admonition, security for good behaviour, fine, or imprisonment, according to the aggravation of the offence. The church is invested with liberty to admit, recommend, dismiss, expel, or dispose of its officers and members for due cause: to assemble when it pleases, and to exercise all the ordinances of God, according to the scriptures: to deal with its members, who are in the hands of justice, but not to retard its course: and even with the civil magistrate, "in case of apparent and just offence given in his place," but not to degrade him from his office or dignity in the commonwealth.

The government of the colony consisted, in those early periods, of a spiritual and a temporal power. It was usual to consult with the elders of the churches in affairs of a civil nature,† relating to the institution of laws, and the conduct of publick affairs. And in 1642, it was ordered, that the publick treasurer should defray the charges of the elders, when they were employed by the order of the General Court. It is to this circumstance, that we must attribute the incorporating of so many of the provisions of the Levitical law into the jurisprudence of the early period of the state.

In the choice of the ministers, the church were originally the sole electors; but for more than a century past, it has been an established rule in the town of Boston, and in the other towns of the commonwealth, that all who contribute to their support, shall have a voice in their election. By a law passed in the 4 and 5 of W. and M.,‡ it is declared, that whenever a church is destitute of a minister, such church is invested with power to choose one. If the major part of such of the inhabitants, as usually attend publick worship, and are qualified by law to vote in town affairs,§ with whom likewise the members of the church may vote, shall concur with the act of the church, and the person elected shall accept thereof, he becomes the minister, to whose support all the inhabitants and rateable estates are obliged to contribute. In case of a disagreement between the church and the inhabitants, the former may call in the help of a council, consisting of the elders and messengers of three or five neighbouring churches. This council is empowered to hear, examine, and consider the exceptions and allegatious made against the election of the churches.* If they should approve of the choice, and the person elected should declare his acceptance, he becam. the minister of the society to all intents,

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* Laws and Liberties, &c. p. 42.
† Ib. p. 44.

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‡ Prov. Laws, p. 33.
§ Ib. p. 62. * 7 W. III. Ib. p. 62.

and entitled to be supported by the parish. But the act of 4 and 5 of W. and M., which applies to the towns and parishes throughout the commonwealth, expressly provides, that it shall not "abridge the inhabitants of Boston of their accustomed way and practice as to the choice and maintenance of their ministers." Each society in this town should, when proceeding to choose a minister, ascertain and pursue the *ancient practice*, if it has followed any one mode in preference to another, from which it is presumed it would be illegal to depart, in respect of the rights, which, by the choice and acceptance, rest in the minister.

By a law of the province, passed 28 Geo. II. and re-enacted* in part by this commonwealth, Feb. 20. 1786, churches are constituted corporations to receive donations, to choose a committee to advise the deacons in the administration of their affairs, to call the church officers to an account, and, if need be, to commence and prosecute any suits touching the same.

2. The Minister. The ministers of the several protestant churches, of whatever denomination, are made capable of taking, in succession, any parsonage land or lands, granted to the minister and his successors, or to the use of the ministers, and of suing and defending all actions touching the same. But no alienation by them of such lands is valid any longer, than they shall continue to be ministers, unless it be with the consent of the town, district, or precinct,... or, if such ministers are of the episcopal denomination, with the consent of the vestry.

3. Deacons and Church-Wardens. By the same act, the deacons of the congregational churches, and the church-wardens of the episcopal churches, are constituted corporations, including the minister, elders, or vestry, where they are named in the original grant, to take in succession all grants and donations, real or personal, made either to their several churches, the poor of their churches, or to them and their successors; and to sue and defend in all actions touching the same. But they cannot alienate any lands belonging to churches, without the consent of the church, or of the vestry, where the gift is to an episcopal church.

4. Proprietors of Pews. Prior to the year 1754, the several congregations in Boston could not, by law, raise money for the support of the ministry and publick worship among them.* It was therefore enacted by the same law, that the proprietors of the pews, or the persons to whom they are allotted in the houses of publick worship, may, at a publick meeting to be called for that purpose, cause the several pews in such houses to be valued according to the convenience of their situation; and new valuations to be made from time to time, as shall be found necessary, and impose a tax on each pew according to such valuation, provided it shall not exceed two shillings a week. The monies so raised must be applied to the support of the ministry, and other parochial charges. The proprietors are authorised to choose a clerk, treasurer, and likewise a collector of the assessments. Reference is made in this act to a committee of the proprietors, which may, therefore, be chosen at such meeting. These meetings are to be called by the proprietors' clerk, deacons,

* Prov. Laws, 370. Mass. Laws, 282.

* Prov. Laws, 371.

or church-wardens, and notice immediately after divine service given ten days, at least, before the meeting. In the notice, the purpose for which the meeting is to be convened, must be specified.

If any owner of a pew should neglect for three months, after a demand made, to pay his assessment, his pew may be sold by the proprietors, who, after deducting from the proceeds, the debt and and costs, shall return the surplus to the owner, unless he shall tender the same to the proprietors, or to their committee, at the last valuation. In this case, if they refuse or neglect to accept the same, no sum shall be deducted out of the sale of the pew, but such only as became due prior to the tender.

The proprietors of the pews are owners of the soil on which the meeting-house stands, and are the rightful persons to sue and defend in all cases respecting the same, and likewise in all cases respecting the house.

Where the general laws of the commonwealth, relating to parishes, apply to the societies in Boston, they may avail themselves of them. Because they are general, and contain no exclusive expressions. Where those laws do not apply, they are not obligatory. Parishes in the country towns are in general separated from each other by boundary lines. Where in a town any district has been set off into a new parish, the remaining part is denominated the "first parish," and by an act, passed in the 4 Geo. I.* all country parishes are invested with the rights and immunities of bodies corporate, whether they constitute the original stock, or are branches from it.

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* Prov. Laws, 198.

This subject has been considered without reference to the law which was passed March 4, 1800,† providing for the publick worship of God, and repealing the laws heretofore made on the subject. The first section of that law confirms to churches, connected and associated in publick worship with towns, parishes, precincts, districts, and other bodies politick, being religious societies, established according to law within this commonwealth, all their accustomed privileges and liberties respecting divine worship, church-order, and discipline. It declares that contracts, made by these bodies with any publick teacher, shall have the same force, and be as obligatory on the contracting parties, as any other lawful contract, and be sustained in the courts of justice. It prescribes the mode, in which the monies, paid by the subject to the support of publick worship, shall be applied to the use of the teacher of his own denomination. It provides, that nothing in the act shall take from any church or religious society in Boston, or any other town, the right and liberty to support the publick worship of God, by a tax on pews, or other established mode. And lastly, it repeals all laws, providing for the settlement of ministers, and the support of publick worship, made prior to the adoption of our present constitution, except as to the recovery of fines which had accrued, and the fulfilment of contracts made under them. This act was probably drawn up by some one, who was not well acquainted with the ancient laws relative to the subject, for such construction must be given to this repealing clause, as will very much limit its opera-

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† Mass. Laws, 931. &c.

tion. 1. The rights and privileges which had been vested in the several religious communities, still remain in them, by virtue of the first section of the law, which amounts to an act of confirmation. Therefore, the rights of the churches, to lead in the election of ministers, and of other officers, and to maintain order and discipline, where they have been accustomed to exercise and enjoy those rights, still remain in them. 2. The established mode in which the societies in Boston have supported publick worship, is likewise preserved, together with the rights of the several bodies politick, of which they are composed. If there is any thing in those old laws, as undoubtedly there is, which is repugnant to the provisions of this act, it is repealed. For it is a rule in the construction of a clause in a statute, that it is to be taken with the other parts of the statute, and to be restrained or enlarged by them, so as to give, if possible, that force and efficacy to the whole, which was intended by the legislature.

For the Anthology.

ACCOUNT OF WESTMINSTER-SCHOOL—OF ITS FOUNDATION, MASTERS, USHERS, PRESENT METHOD OF INSTRUCTION, EXPENSES OF EDUCATION, &c. &c.

The question of the superiority of private over publick education has of late been obtruded upon us in various shapes, till at length every one has been tired of attending to an argument which no discussion, however frequent, had advanced nearer to decision; and each determines it at present according to his own prejudices, or, if he has any children, by a wiser way, according to the disposition, or presumed capacity, of his own boy.

The two questions of most importance with those resolutely bent against the method of publick education seem to be, an apprehension for the morals of their children, and a dread of the enormity of the expense. Whatever relates to the former part of this question should be examined with coolness, and, as far as possible, be determined without leaving behind a shadow of doubt; what respects the latter, I hope to prove to the satisfaction of any impartial man as totally groundless: publick schools are not only less expensive than our present system of private education, but the remuneration to the masters from each boy is so small, that I am fearful lest some grains of contempt should adhere to them, for submitting to a drudgery so truly slavish, for rewards so comparatively inadequate.

That the provision for religious education at Westminster-school is far from what has been represented, is proved by the late learned and venerable master, under whom the writer of these present observations is proud to say he himself received his education. Facts, unquestionable facts, have been submitted to the publick, who have received and judged the question with such deliberate candour, that little encouragement has been given to any writer on the contrary side, since it seemed, as it really was, impossible to overturn what was advanced with such cogency of argument and strength of testimony.

As I presume it is the object of your Magazine to discuss all questions of general utility, that of education must necessarily force itself upon you with a kind of prescriptive claim: I shall, therefore, require of you to submit to your readers the following account of the most illustrious publick seminary in Great-Britain. I trust it will correct some errours into which many men of good intentions have fallen, and give them a complete idea of a system of education which their ancestors established, revered, and supported, for more than two centuries from the present age. The method of instruction is but in a few trifling particulars different from what it then was. We are compelled to a rigid observance of our statutes; and if we sometimes differ from the letter, the spirit is universally preserved.

I confess myself unable to trace the exact æra in which Westminster-school was founded; that in the antiquity of its origin it surpasses all other seminaries in G. Britain, is universally acknowledged; but as the precise year of its institution has puzzled many antiquaries, I may, at least, be allowed to avoid a question so dark and intricate. It has been thought coeval with the endowment of St. Peter's collegiate church, commonly called Westminster Abbey. This was originally a monastick institution, and is permitted, I believe, to claim for its first founder, William Rufus.

In the reign of Henry the Eighth, when the rich and overgrown monasteries presented a tempting bait to a king, equally covetous and profuse, the spoil of Westminster Abbey, among the rest, did not escape his rapacity. The time was now favourable for the utmost violence of innovation. The monks were held by the secular clergy in profound detestation; the laity had lost all respect both for them and their institutions, in the notorious profligacy of their characters, and the atrocious enormity of their vices. Henry had but this last and fatal blow to give to their patron at Rome, at once to tear up by the root the most stedfast hold of his authority in that kingdom, and complete his vengeance to the full. Most of them fell without a struggle, and with but ineffectual appeals for mercy. But to overthrow an establishment like that of Westminster Abbey, at once so opulent, so ancient, and so long esteemed sacred; which had to boast kings for its founders and benefactors, and in whose walls the ceremony of coronation had for centuries been performed, appeared so evidently hazardous, that the rapacity of the monarch for once yielded to the necessity of the case, and it was spared a total dissolution. On the surrender of the abbots and monks, the king converted it into a cathedral. It did not even long retain this form, since the see was dissolved by Edward the Sixth, and the college restored; and, on the accession of Mary, it again resumed the name of Westminster Abbey, with some small portion of its original endowments. It is, however, indebted to Elizabeth for its present institution. That princess founded a *college*, which is the proper name of the establishment, appointed a dean and twelve prebendaries, with numerous petty canons, and instituted a school for forty boys, who are called by the name of king's scholars, and two masters.

Dr. Henry, in his history of Great-Britain, has attributed the foundation of Westminster-school to Henry the Eighth, and certain-

ly not with his usual accuracy. Ingulphus, the famous abbot of Crowland, who flourished in the time of Edward the Confessor, speaks of his being brought up at Westminster-school: this is indisputable authority of its antiquity. In the account, however, which I propose to give of this illustrious seminary, I do not intend losing myself in any antiquarian research, but to dwell with, I hope, a pardonable minuteness on the modern form of its institution, and the present established mode of its education. I shall therefore divide the matter of my consideration into five heads.—1. Of the masters.—2. Of those who are called the town boys.—3. Of the king's scholars.—4. Of the books read, and the method of instruction.—5, and lastly, Of the vacations and expenses of education at this seminary.

This establishment has at present two masters and six ushers. They are supported partly by the funds of the school, and partly by what is paid by the *town-boys*, the king's scholars having their education, as far as respects any gratuity to the masters, free of all expense. I should first have premised, that, for distinction's sake, there is an upper and a lower school; there is no separation between them otherwise than a bar, which runs across the middle of a very large room, in which all the boys meet together. From this bar a curtain formerly depended, as the division between the two schools, but, at present, there is no other distinction than that of the forms. There are seven forms or classes: The lower school contains three; they are as follow: the first or petty, the second, and the two thirds, both making *one* form together. A form is divided into two parts, the under and upper parts; the boys remain six months in each. From the under part to the upper part of a form, the removal is of course; but, when a boy is to pass onward from a lower form to a higher, he is said to "*to stand out for his remove*," and is examined as to his sufficiency by the head master, in the books which have been read in the form he is about to leave. Every form has its usher, except the upper third in the lower school, where the under master presides, and the sixth and seventh in the upper school, which are under the superintendence of the head master. Every boy in the under school pays to the under master three guineas a year, two to the upper master, and a guinea to the usher of his form. Every boy in the upper school pays five guineas yearly to the upper master, and a guinea to the usher of his form; and, should he leave school in the sixth or seventh form, he presents the master with ten guineas, if a *town-boy*. A king's scholar, when *he* leaves, presents the same sum to the upper master, and half as much to the under master; but this is merely optional, though never omitted. From these sources the salaries of the two masters are derived, with what is appropriated to them by the funds of the establishment. They have both handsome houses belonging to their office, and are required to give their attendance in school every day in the week, Sunday excepted; but there is a whole holiday on every saint's day, and day of particular commemoration, and a half holiday every Tuesday, Thursday, and Saturday. It must not, however, be hastily concluded, that the boys are consequently idle from these numerous holidays; the con-

trary is the case: they are burthened with a very heavy exercise on every half holiday, Tuesday excepted, which they are required to produce in the morning afterwards. And I can assure my reader, to escape *this* exercise, they would freely go without their *half holiday*. The hours, therefore, which many, inflamed with an ignorant rancour against publick schools, have supposed devoted to idleness and play, are, in reality, the most busy and instructive of any! The whole afternoon of the half holiday is spent in labouring the exercise for the next morning, which is first done in a *foul book*, and thence copied on a half sheet of paper, and presented to the usher, or master, before breakfast on the ensuing day. It is for want of examination that publick schools are accused of idleness. The ushers, as I have before said, are paid partly out of the funds, which are not, however, sufficient for their support; they have a guinea, therefore, yearly from every boy in the form to which they belong; and, as all the boarding houses must necessarily have an usher to keep peace and order among the boys, he obtains the same sum from each belonging to the house where he himself resides; and has besides many other ways of augmenting his salary. The ushers are generally clergymen, and all at present, I believe, are handsomely provided with church livings, or are fellows of Trinity College, Cambridge. They are men of extensive learning and high respectability, and, without lessening their authority, live on the most friendly terms with the boys.

2d. I come next to consider the *town boys*. I must define them by negatives. They are such as are not king's scholars, who are independent of the foundation, and who may be admitted or dismissed at the master's pleasure. They either belong to boarding-houses, or, if their friends reside near, live at their own homes, and then, except in school hours, are not subject to the jurisdiction of the masters or the ushers, which the boys who live in the boarding-houses are. In every respect these *day boys* have the same advantages of education with the rest, and may pass through the school, and obtain all its profits for the moderate sum of six guineas per annum! These boys are held in equal respectability with the others; there is no difference that I know of; and many of the opulent families who reside all the year in London, prefer sending their children in this manner.—Never after this let us hear of the expense of a publick school education in Great-Britain.

3. I now come to the *king's scholars*. This foundation is very different from that of any other school. They are forty in number, and are supplied by an annual election from the town boys. Thus every king's scholar must necessarily have been a town boy, though no town boy, unless chosen, can be a king's scholar. The foundation draws to itself, as a centre, all the talents, the industry, and respectability of the whole school. It is where every father wishes to see his son; where greater attention is paid both to their morals and learning, since the superintendence over them is necessarily more strict. It is where the sons of the first families in the kingdom have been educated; where a Busby trained up his scholars; whence Cowley, Dryden, Smith, Halifax, and all the illustrious men of *that* age issued, and whence most of

those of the *present* have imbibed the early seeds of education.

Interest forms no part of their introduction into the college. It is open to talents alone, and a fair competition *once* a year, takes place between the boys who are candidates for the foundation. They generally *stand out*, as it is termed, from the *fifth form*, and commence their competition about two months previous to the time, when the seniour boys on the foundation are preparing for their election to Oxford or to Cambridge. A great number contend for admission, and about eight, or more, according to the vacancies, are admitted. The king's scholars wear caps and gowns to distinguish them, are never above the age of fourteen when admitted ; they remain four years on the establishment, and then are either elected students of Christ Church, Oxford, or are chosen to Cambridge, where they mostly succeed to a fellowship. The king's scholars live in what is called the dormitory, but whether from caprice, pride, or I know not what, do not choose to receive all the profits of the foundation, but are content to dine in the college hall only, and have their other meals from the boarding-houses, of which they are termed *half-boarders*. Thus the education, as a king's scholar, is very little cheaper, though, on many accounts, much to be preferred. The dean and sub-dean of Christ Church attend once a-year, at Whitsuntide, to take their equal portion of the seniour candidates for election, as do likewise the master of Trinity, and some fellows. They have their choice alternately, but as it is esteemed more advantageous for the boys to be students of Christ Church, the Cambridge electors always wave their right of claim, and accept of those, whom the dean of Christ Church, who bestows the studentships, does not elect to his own college. The election to Oxford is always a mere matter of interest, superiority of talents is totally out of the question. But the boys who are studious and prudent, may improve the advantages of an election to Cambridge to an equal, and sometimes superiour profit.

4. I come now to my last consideration, the books read, and the method of instruction pursued throughout the school. I have already mentioned the division of the under school into three forms, one of which I shall call a *double form*, namely the *third*, it consisting of two distinct forms, and each being divided into an upper and lower part, as with the rest of the *single* forms.

In the petty or first form, are taught the rudiments of Latin grammar. In the second, the boys are taught to construe Æsop, Phædrus, and turn some *sacred exercises* into Latin.

In the under third, begins their first instruction in prosody. They here commence their verse exercise, a species of education, with some so much the subject of censure, with others of applause, in all our publick schools. The boys read Ovid's Tristia, and Metamorphoses ; Cornelius Nepos is their prose author. They turn the Psalms, and sacred exercises, into Latin verse, on Thursdays, and Saturdays, first beginning with what are called *nonsense verses*, and making them approach, as fast as they are able, to an union of sense and metre.

In the upper third, where the under master presides, the same course of discipline is, for the most part, pursued ; the exercises being only

only longer, and required to be more correct.

The upper school is divided into four forms; the fourth, the fifth, the shell, the sixth, or the upper part of it, which is called the seventh, generally filled by the seniour king's scholars. In the fourth, are read Virgil, Cæsar's Commentaries, and the Greek Testament, with the Greek grammar, not taught in any of the under forms. On Thursdays, the boys turn Martial's Epigrams into long and short verses, and on Saturdays, do a verse exercise from the Bible with the rest of the upper school. In the fifth, are read the same books, with the addition of the Greek epigrammatists, some part of Homer and Sallust. On Monday, a Latin theme, on Wednesday, an English one, or an abridgment from some prose author is read in the form; on Thursdays, they turn the odes of Horace into another metre, generally into hexameters and pentameters; on Saturdays, Bible-exercise throughout the school. In the shell, the same course is pursued, except, that the only Greek author read, is Homer. In the sixth and seventh, where the head master presides, the higher Greek and Latin authors are all read—such as Sophocles, Euripides, Demosthenes, sometimes Æschylus: Horace, Juvenal, Cicero, Livy, Sallust, &c. It would be tedious to run over all the books, and the different times when they are introduced; it will be sufficient to add, that a boy who has passed through the sixth form will find no difficulty in any Latin or Greek author whatever. Here the verse exercises are carried to the highest perfection, and a boy will produce, for his Saturday's Bible exercise, an alcaick ode, or thirty or forty, sometimes a hundred hexameter verses, of the most flowing melody, and frequently of no little poetical elevation. The Greek Testament is read in Easter week, and Grotius*, with copious comments by the master, to infuse proper religious sentiments, on every Monday morning.†

5. I now come to my last consideration. The vacations are three times a-year. Three weeks at Christmas, when the king's scholars perform one of Terence's plays; the same portion of time at Whitsuntide, and five weeks at Bartholomewtide. It must be confessed, there is here no waste of time; the boys being, moreover, employed in long repetitions, and holiday tasks, during the vacation. The expenses of the boarding-houses are generally from thirty to thirty-five guineas per annum, and the utmost sum paid to the masters is seven guineas.

I will now venture to assert, that no man can educate his son at a private school in so moderate a manner, particularly if he be sent to Westminster as a *day-scholar*. I have now made mention of all that occurs to me. I should certainly, however, not have resisted this opportunity of dwelling on the strict and most exemplary mode of religious education pursued at Westminster, but that I can refer my readers to a much better account of it in the late Vindication of the Dean of Westminster.

T. L.

....

* Grotius merely serves as a peg. The master takes this opportunity of discussing the fundamental doctrines of Christianity, and well-grounding the boys in them.

† The upper boys, in their turns, speak publickly in the school on every Friday, sometimes in Latin, often in Greek, more frequently from the English poets.

ORIGINAL POETRY.

For the Monthly Anthology.

MONODY,

TO THE MEMORY OF GEN. HENRY KNOX.

WITH all of nature's gift, and fortune's claim,
A soul of honour, and a life of fame,
A warrior-chief, in victory's field renown'd,
A statesman, with the wreath of virtue crown'd.
SUCH, KNOX, WERT THOU....shall truth's immortal strain
Recal thy deeds, and plead their worth in vain?
Sacred and sainted 'mid yon starry sky,
In vain shall friendship breathe her holiest sigh.
Where is that pity known thy life to share,
Softening the beams by glory blazoned there?
Lost like thy form, with that unconscious grown,
Of all thy living virtues called their own!
Ne'er shall that smile its speaking charm impart
To win the angered passions from the heart;
No more that voice, like musick, seem to flow,
Kind in its carings for another's woe,
But round thy tomb despair will live to weep,
Cold as the cearments of thy marble sleep.

Yet wert thou blest. Ere age with chill delay
Quenched of the fervid mind its sacred ray,
Fate called thee hence....Nor nature's late decline
Saw thy full-lustred fame forbear to shine;
Called thee with many a patriot earth-approved,
With heroes by the QUEEN OF EMPIRES loved:
While on that world of waters victory gave,
Immortal *Nelson* gained a glorious grave;
When PITT, the soul of Albion, reached the skies,
And saw the RIVAL OF HIS GENIUS rise,
FOX, loved of fame...a nation's guide and boast,
His voice sublime mid wondering plaudits lost.
These, like thyself, for godlike deeds admired,
In the green autumn of their years retired.
Hence shall their kindred spirits blend with thine,
And mingling, in collected radiance shine.
Honoured in life, in death to memory dear,
Not hopeless falls the tributary tear.
For what is death but life's beginning hour,
The good man's glory, and the poor man's power;
Banquet of every bliss we taste below,
Source of the hope we feel, the truth we know.
Then not for thee, *mild shade*, the grief be given;
For thee, beloved on earth, approved in heaven,
All that thy life revered thy death supplies,
TO LIVE WITH ANGELS, AND IN GOD TO RISE.

December, 1806.

For the Monthly Anthology.

ERIN.

Behind the misty brow of yonder hill,
Beside a stream that turns the village mill,
Remote from worldly care and courtly strife,
Once honest Erin led a peaceful life.
Brisk as the bee that sucks the fragrant dew,
He hied afield the stubborn oak to hew;
Or, when rough winter left the leafless bower,
And smiling spring came on in sunny shower;
Jocund he drove the patient ox to toil,
And broke with lagging plough the loosen'd soil.
Oft the lone beat of yonder chapel bell,
That toll'd for frosty age the passing knell,
Allur'd the ruddy swain, with moisten'd brow,
To taste the luncheon spread on wheaten mow.
And when behind the hills the sun withdrew,
And noisy swallows to their lodging flew,
Before his cot, or near some rushy stream,
That faintly twinkled 'neath the silver gleam,
While perfum'd breezes in the tree-tops plays,
Fanning the air as weary light decay'd;
With merry reed he made the rustick gay,
Returning home at close of busy day.
But hush'd the strain that gladden'd all the plain
And cheer'd with simple notes the homeward swain;
For now away beneath yon scraggy thorn,
Where nightly sits the bird of eve forlorn,
And tall weeds wave, as sighs the hollow gale,
And gently swells the green sod in the dale,
Releas'd from all this little world's alarms,
He sleeps secure in death's oblivious arms.

Blest was his toil with crops of golden grain,
And Erin grew in wealth, and rose in name.
But, ah, that pleasing rest, which wealth imparts,
Too oft unnerves the frame, unmans our hearts.
So far'd it now with late our honest clown;
In ease repos'd he thoughtless sought the town,
And loitering day by day, a prey to harm,
He left unplough'd the field, unsown the farm.
The moments flew. His happy days were gone,
Swift as the beam that scales the saffron morn;
And now gloom'd round, with chilling frost combin'd,
Cold want, that ragged rustled in the wind.

The storm blew bleak, and drifting fast the snow,
When Erin left the vale opprest with wo;
Remorse with rankling tooth his bosom tore,
And wild with grief he saw his home no more.

Dec. 20, 1806.

To the Editors of the Monthly Anthology.

GENTLEMEN,

The following Poem was presented to me by a literary female friend at Liverpool, with an assurance it was copied from the manuscript of Walter Scott.

G.

.....

HELVELLYN.

In the spring of 1805, *a young gentleman of talents, and a most amiable disposition, perished, by losing his way, on the mountain Helvellyn; the remains were not discovered until three months afterwards, when they were found guarded by a faithful terrier, his constant attendant during frequent solitary rambles through the wilds of Cumberland and Westmoreland.*

I CLIMB'D the dark brow of the mighty Helvellyn,
Lakes and mountains beneath me gleam'd misty and wide;
All was still....save, by fits, when the eagle was yelling—
And starting around me, the echoes replied.
On the left striden edge round the red tarn was bending,
And Catchediceim its right verge was defending,
And one huge nameless rock in the front was ascending,
When I mark'd the sad spot where the wanderer died.

Dark green was that spot 'mid the brown mountain's heather,
Where the pilgrim of nature lay stretch'd in decay;
Like the corpse of an outcast, abandon'd to weather,
'Till the mountain winds wasted the tenantless clay.
Nor yet quite deserted, though lonely extended,
For, faithful in death, his mute favourite attended,
The much lov'd remains of his master defended,
And chac'd the hill fox and the ravens away.

How long didst thou think that his silence was slumber?
When the wind wav'd his garments, how oft didst thou start?
How many long days and long nights didst thou number,
Ere he faded before thee....the friend of thy heart?
And ah! was it meet that, no requiem read o'er him,
No mother to weep, and no friend to deplore him,
And thou, little guardian, close stretched before him,
Unhonour'd, the pilgrim from life should depart?

When a prince to the fate of a peasant has yielded,
The tapestry waves dark round the dim-lighted hall,
With scutcheons of silver the coffin is shielded,
And pages stand mute in the canopied hall.
Through the vault at deep midnight the torches are gleaming,
In the proudly arch'd chapel the banners are beaming,
Far adown the long aisle sacred musick is streaming,
Lamenting a chief of the people should fall.

But meeter for thee, gentle lover of nature,
To lay down thy head like the meek mountain lamb,

When wilder'd he drops from some cliff huge in stature,
And draws his last sob by the side of his dam:
And more stately thy couch by this desart lake lying,
Thy obsequies sung by the grey plover flying,
With but one faithful friend to witness thy dying
In the arms of Helvellyn and Catchediccim.

For the Anthology.

NEW-YEAR'S ADDRESS

OF

THE CARRIER OF THE ANTHOLOGY.

Hunc.....diem numera meliore lapillo,
Qui tibi labentes apponit candidus annos;
Funde merum genio..... PERS. Sat. 2d.

LIST to a simple lad! no heir of fame,
Who boasts no greater than a "carrier's" name;
Who ne'er had share in swelling Faction's roar,
Nor party rancour on his shoulders bore.

He scorns to tell of toils he never knew,
Storms that ne'er rose, and winds that never blew;
How oft for you, o'er Alps of snow he went,
His breeches tatter'd, and his breath quite spent.
One truth in boards is better, sure, by half,
Than twenty lies, tho' gilt and bound in calf.

Once more old time revolves his iron sphere,
And wonted pastimes hail the new-born year.
On whitest wings the merry moments fly,
Mirth laughs aloud, and grief forgets to sigh;

Now little masters *swell* themselves to men,
And miss, indulg'd, sits up till half past ten.——
When pale face paupers are securely bold;
When beggars wish, and wishes turn to gold;
When wretches ask, who never ask'd before,
And those, who always ask'd now ask the more;
When even Harpax smiles——upon his wealth,
And *thro' his window* drinks his neighbour's health,
Shall a poor boy, alone, of all the train,
Without one single *glitt'ring* joy remain?
Say, if a learned sermon please you well,
Will you not think of him who rang the bell?
When the musician's skilful fingers fly,
And chain your ears in "organ melody,"
Shall no kind thoughts within your bosom glow,
For the poor boy who did the bellows blow?

What? will a land of *learned Merchants* see
Their muse's carrier pine in poverty?

Ne'er shall it be, while tradesmen criticise,
Or ******** quotes Damberger's lies ;
Ne'er shall it be, while rich men safely sail,
Or clatt'ring Bozzy hangs at Johnson's tail.

Unlock your hearts, and may your kindness seem
To flow, like *circles* in a *silver stream*,
Still, still *diverge*, and may these *circles* find
Their common centre in a gen'rous mind.
Thrice happy day ! may all its pleasures last,
And years to come be happy as the past.
Boston, Jan. 1, 1807.

SELECTIONS.

. . .

From the "WANDERER IN SWITZERLAND."

By James Montgomery.

THE LYRE.

"*Ah ! who would love the lyre !*"
G. A. STEVENS.

WHERE the roving rill meander'd
Down the green, retiring vale,
Poor, forlorn ALCÆUS wander'd,
Pale with thought, serenely pale :
Hopeless sorrow, o'er his face
Breathed a melancholy grace,
And fix'd on every feature there
The mournful resignation of despair.

O'er his arm, his lyre neglected,
Coldly, carelessly he flung ;
And, in spirit deep dejected,
Thus the pensive poet sung ;
While, at midnight's solemn noon,
Sweetly shone the cloudless moon,
And all the stars, around his head,
Benignly bright, their mildest influence shed.

"Lyre ! O, Lyre ! my chosen treasure,
"Solace of my bleeding heart ;
"Lyre ! O, Lyre ! my only pleasure,
"We must ever, ever part :
"'Tis in vain thy poet sings,
"Woos in vain thine heavenly strings,
"The Muse's wretched sons are born
"To cold neglect, and penury, and scorn.

"That which Alexander sigh'd for,
"That which Cæsar's soul possess'd,
"That which Heroes, Kings have died for,
"Glory !—animates my breast :
"Hark ! the charging trumpets throats
"Pour their death-defying notes ;
"To arms !" they call ; to arms I fly,
"Like Wolfe to conquer—and like Wolfe to die !

"Soft !—the blood of murder'd legions
"Summons vengeance from the skies ;
"Flaming towns, and ravag'd regions,
"All in awful judgment rise !
—"O then, innocently brave,
"I will wrestle with the wave ;
"Lo ! Commerce spreads the daring sail,
"And yokes her naval chariots to the gale.

"Blow ye breezes !—gently blowing,
"Waft me to that happy shore,
"Where, from fountains ever flowing,
"Indian realms their treasures pour ;

" Thence returning, poor in health,
" Rich in honesty and wealth,
" O'er thee, my dear paternal soil !
" I'll strew the golden harvest of my toil.

" Then shall Misery's sons and daughters
" In their lowly dwellings sing ;
—" Bounteous as the Nile's dark waters,
" Undiscover'd as their spring,
" I will scatter, o'er the land,
" Blessings with a secret hand ;
—" For such angelick tasks design'd,
" I give the Lyre and sorrow to the wind."

On an oak, whose branches hoary
Sigh'd to every passing breeze,
Sigh'd, and told the simple story
Of the patriarch of trees ;
High in air his harp he hung,
Now no more to rapture strung ;
Then warm in hope, no longer pale,
He blush'd adieu, and rambled down the vale.

Lightly touch'd by fairy fingers,
Hark !—the Lyre enchants the wind ;
Fond Alcæus listens, lingers,—
Lingering, listening, looks behind.
Now the musick mounts on high,
Sweetly swelling through the sky ;
To every tone, with tender heat,
His heart-strings vibrate, and his pulses beat.

Now the strains to silence stealing,
Soft in ecstacies expire ;
Oh ! with what romantick feeling
Poor Alcæus grasps the lyre !
Lo ! his furious hand he flings,
In a tempest o'er the strings ;
He strikes the chords so quick, so loud,
'Tis Jove that scatters lightning from a cloud !

" Lyre ! O, Lyre ! my chosen treasure,
" Solace of my bleeding heart ;
" Lyre ! O, Lyre ! my only pleasure,
—" We will never, never part !
" Glory, Commerce, now in vain,
" Tempt me to the field, the main ;
" The Muse's Sons are blest, though born
" To cold neglect, and penury, and scorn.

" What, though all the world neglect me,
" Shall my haughty soul repine ?
" And shall poverty deject me,
" While this hallow'd lyre is mine !
" Heaven—that o'er my helpless head,
" Many a wrathful vial shed,
—" Heaven gave this lyre !—and thus decreed,
" Be thou a *bruised*, but not a *broken* reed !"

THE GRAVE.

THERE is a calm for those who weep,
A rest for weary Pilgrims found,
They softly lie and sweetly sleep,
Low in the ground.

The storm that wrecks the winter sky,
No more disturbs their deep repose,
Than summer evening's latest sigh,
That shuts the rose.

I long to lay this painful head
And aching heart beneath the soil,
To slumber in that dreamless bed
From all my toil.

For Misery stole me at my birth,
And cast me helpless on the wild ;
I perish ;——O my mother Earth ?
Take home thy Child !

On thy dear lap these limbs reclined
Shall gently moulder into thee ;
Nor leave one wretched trace behind,
Resembling me.

Hark !—a strange sound affrights mine ear ;
My pulse,—my brain runs wild,—I rave :
—Ah ! who art thou whose voice I hear ?
—" I am THE GRAVE !

" The GRAVE, that never spake before,
Hath found at length a tongue to chide :
O listen !—I will speak no more :
Be silent, Pride !

" Art thou a WRETCH, of hope forlorn,
The victim of consuming care ?
Is thy distracted conscience torn
By fell despair ?

" Do foul misdeeds of former times
Wring with remorse thy guilty breast,
And Ghosts of unforgiven crimes
Murder thy rest ?

" Lash'd by the furies of the mind,
From wrath and vengeance wouldst thou flee ?
Ah ! think not, hope not, Fool ! to find
A friend in me.

" By all the terrours of the tomb,
Beyond the power of tongue to tell !
By the dread secrets of my womb !
By Death and Hell !

" I charge thee LIVE !—repent and pray ;
In dust thine infamy deplore ;
There yet is mercy ;——go thy way,
And sin no more.

" Art thou a MOURNER ?—Hast thou known
The joy of innocent delights ?
Endearing days forever flown,
And tranquil nights ?

" O LIVE !——and deeply cherish still
The sweet remembrance of the past :
Rely on Heaven's unchanging will
For peace at last.

" Art thou a WANDERER ?—Hast thou seen
O'erwhelming tempests drown thy bark ?
A shipwreck'd Sufferer hast thou been,
Misfortune's mark ?

" Though long of winds and waves the sport,
Condemn'd in wretchedness to roam,
LIVE !—thou shalt reach a sheltering port,
A quiet home.

" To FRIENDSHIP didst thou trust thy fame,
And was thy friend a deadly foe,
Who stole into thy breast to aim
A surer blow ?

" LIVE !—and repine not o'er his loss,
A loss unworthy to be told :
Thou hast mistaken sordid dross
For Friendship's gold.

" Go, seek that treasure, seldom found,
Of power the fiercest griefs to calm,
And soothe the bosom's deepest wound
With heavenly balm.

" In WOMAN hast thou placed thy bliss,
And did the Fair One faithless prove ?
Hath she betray'd thee with a kiss,
And sold thy love ?

" LIVE !—'twas a false bewildering fire,
Too often Love's insidious dart
Thrills the fond soul with sweet desire,
But kills the heart.

" A nobler flame shall warm thy breast,
A brighter Maiden's virtuous charms ;
Blest shalt thou be, supremely blest,
In Beauty's arms.

" ——Whate'er thy lot,——Whoe'er thou be,—
Confess thy folly,—kiss the rod,
And in thy chastening sorrows see
The hand of GOD.

" A bruised reed he will not break,
Afflictions all his children feel ;
He wounds them for his mercy's sake,
He wounds to heal !

" Humbled beneath his mighty hand,
Prostrate his Providence adore ;
'Tis done !—Arise ! HE bids thee stand,
To fall no more.

" Now, Traveller in the vale of tears !
To realms of everlasting light,
Through Time's dark wilderness of years,
Pursue thy flight.

" There IS a calm for those who weep,
A rest for weary Pilgrims found ;
And while the mouldering ashes sleep,
Low in the ground ;

" The Soul, of origin divine,
GOD's glorious image, freed from clay,
In heaven's eternal sphere shall shine,
A star of day !

" The SUN is but a spark of fire,
A transient meteor in the sky ;
The SOUL, immortal as its Sire,
SHALL NEVER DIE."

THE BOSTON REVIEW.

DECEMBER, 1806.

Librum tuum legi & quam diligentissime potui annotavi, quæ commutanda, quæ eximenda, arbitrarer. Nam ego dicere vero assuevi. Neque ulli patientius reprehenduntur, quam qui maxime laudari merentur.——PLINY.

ARTICLE 65.

Travels in Louisiana and the Floridas in the year 1802, *giving a correct picture of those countries. Translated from the French, with notes, &c. by John Davis.*

Aspice et extremis domitum cultoribus orbem,
Eaosque domos Arabum, pictosque Gelonos ;
Divisæ arboribus patriæ. VIRG.

New-York, Riley & Co. 12*mo. pp.* 181. 1806.

THE immense price, we have already paid for a part of the country, described in this book, and the value, attached to the rest both by its owners and by our government, renders every account of it interesting in a higher degree, than other travels. The knowledge of the author might have been acquired by a two-months' residence at New-Orleans ; but there are few men of education and leisure, who are desirous of a pilgrimage into that region, so little known to its possessors, and we must, therefore, acquiesce many years in the relations of men, who enjoy few opportunities for inquiry, and exhibit little minuteness of investigation. The author was, as is conjectured by his translator, a planter of St. Domingo, driven by the blacks to seek a refuge on the continent, with any part of which he seems better pleased, than with Louisiana. In the title-page we are informed that the work is an account of travels in 1802 ; yet in the first sentence of the first chapter the writer tells us he has dwelt two years and a half in the colony. The Frenchman considers Louisiana and West-Florida as one colony, but he was never a surveyor of boundaries, and politicians must look elsewhere for the demarkation of our sovereignty. We learn only, that on the west we are bounded by 'New-Mexico, and vast countries unexplored.' The President of the United States, in a message to Congress, says, that Spain would confine our territory to a narrow strip of land on the west bank of the Mississippi ; but, as we have long since sent a company across the continent, even to the Pacifick Ocean, it is presumable, that our government lays claim to all that tract, traversed by Capts. Lewis and Clarke. Yet it seems matter of very little concern in this quarter, whether our rights extend fifty or fifteen hundred leagues beyond the Mississippi. But the translator, in one of his notes, attempts to raise a doubt, where we had thought ourselves most secure.

'It is a matter of mirth, what erroneous notions the world has relative to the cession of Louisiana

to the United States. A thousand people imagine at this moment that New-Orleans belongs to us; whereas New-Orleans still belongs to his Catholic Majesty the King of Spain; it is comprehended in the tract reserved by him.'

P. 165.

But, however ignorant of the extent of our domain, we are willing to learn its value.

'If we take into consideration the whole extent of the tract, comprehended in the boundaries that have been just exhibited, the colony, under that point of view, includes an immense territory. But appreciating things by their real value, and considering the country in another point of view, both with regard to the nature of its soil and other local circumstances, without including Upper Louisiana, which begins at the thirty-first degree of latitude, and extends to the north and the east, an immense territory, wild and uncultivated, with a few partial exceptions, I am disposed to believe that this part of the colony, composed of Lower Louisiana and West Florida, situated at the thirtieth and thirty-first degrees of north latitude, and at the sixty-eighth or sixty-ninth degree of east longitude, from the meridian of Ferrol, where the principal settlements of the colony are established; this immense tract, I insist, comprehending a space of four thousand leagues, affords only five hundred square leagues of land adapted to the purposes of agriculture: of these too, seventy-five are upon the banks of the Mississippi, a hundred and twenty-five in the interiour of the country, and three hundred in the tract bounded by the Atacapas and the Apelousas; from which the inference is manifest, that only the eighth part of this vast country can be appropriated to the labours and residence of man, the remainder being covered with lakes, forests, and swamps, and dry and sandy deserts.' *P.* 4.

In the second chapter we learn, —'The Mississippi, which divides the colony, and whose real name, in the language of the aborigines of the country, is *Messachipi*, which signifies the *Father of Waters*, is one of the most considerable rivers in America.' *P.* 7.

Of the impediments to navigation, the rapidity of the current, the variation of the channel, and the bar at the mouth, we have all the information, we can desire.

The 3d chapter is chiefly occupied by a minute description of the city and island of New-Orleans. Was it ever thought, that, in the hands of Spaniards, that city would have been a difficult conquest? The President of the United States talked of the rashness of attacking a place, whose walls were covered with cannon. But the traveller contemptuously asks, 'Must I make mention of Fort St. Charles, and its pretended ramparts? It would provoke the risibility of an engineer.'

'Such is New-Orleans at the present era. It deserves rather the name of a great straggling town, than of a city; though, even to merit that title, it would be required to be longer. In fact, the mind can, I think, scarcely image to itself a more disagreeable place on the face of the whole globe; it is disgusting in whatever point of view it be contemplated, both as a whole, separately, and the wild, brutish aspect of its suburbs. Yet it is the only town in the whole

colony, and, in the ardour of admiration, it is called by the inhabitants the capital, the city !' *P.*35.

We are, however, told, and we believe it, that it is destined by nature to become one of the principal cities in North America. In a note upon this subject the translator quotes from another work, published at Paris, a political estimate of the importance of New-Orleans.

'But the grand advantage, which flows to the American states from the possession of the Mississippi, is, that the door is open to Mexico, and the valuable mines and provinces of Spain are exposed to an easy invasion. The Spanish possessions lie on the west and south. The road to them is easy and direct. They are wholly defenceless. The frontier has neither forts, nor allies, nor subjects. To march over them is to conquer. A detachment of a few thousands would find faithful guides, practicable roads, and no opposition between the banks of the Mississippi and the gates of Mexico. The unhappy race, whom Spain has enslaved, are without arms and without spirit; or their spirit would prompt them to befriend the invader. They would hail the Americans, as deliverers, and execrate the ministers of Spain, as tyrants.' *P.* 38.

The manners of the inhabitants are described in the 4th chapter, and the subject is continued in the next, where their inhumanity is contrasted with the conduct of the inhabitants of the United States. The animation of the writer is here exhausted, and he concludes...

'May this page, while it transmits with infamy to posterity the conduct of the Louisianians, be a lasting monument to the magnanimity of the inhabitants of the United States. Time! scatter if thou wilt the rest of this volume to the winds of heaven, but let that be sacred, which records the generous spirit of Americans!' *P.*76.

On slavery, we observe an appearance of argument to support the proposition, dearest to his heart.

'Negroes are a species of beings, whom nature seems to have intended for slavery; their pliancy of temper, patience under injury, and innate passiveness, all concur to justify this position; unlike the savages or aborigines of America, who could never be brought to servile control.' *P.*82.

A little further he declares, 'as the ox resigns himself to his yoke, so the negro bends to his burden.' The question is at last settled, with perfect satisfaction and self-complacency, by the resistless power of general axioms:

'Nature may be modified, but cannot be essentially changed. It is not possible to impart to the dog the habits of the wolf, nor to the ape those of the sheep. This position cannot be refuted. Sophistry may for a while delude, but the mind reposes upon the stability of truth.' *P.* 84.

Against a philosopher, in such impenetrable armour, who shall contend? The regulations of the slaves, published by the best governour, that Spain ever sent to Louisiana, are introduced in a note. Among these one seems to render even the single privilege of the negroes nugatory. It declares, 'Slaves may not sell any thing without the permission of their

master, not even the productions of the waste lands allowed them.' Surely *their tender mercies are cruelty.*

From the remainder of the volume, which treats of the tribes of Indians, of the diseases, of the animals, of the principal settlements, of the population, commerce, and government of the country, we need not extract any thing, as these circumstances have become of little consequence to us by the cession of the country to our government, or they may be found at greater length in the publick state papers since that event.

On the whole, this volume affords a great fund of information of that kind, which we most wanted, a complete character of the new subjects of our government. There is, also, a part, that may be serviceable to the mere merchant, and much of the characteristick levity of thought, united with violence of language, that will please every one.

ART. 66.

Biographical Memoirs of Lord Viscount Nelson, with observations critical and explanatory. "Sparsa coegi." By John Charnock, Esq. F. S. A. author of the Biographia Navalis, and the History of Marine Architecture, &c. &c. Second American edition. Boston, published by Etheridge & Bliss. 1806. T. M. Pomroy, printer, Northampton. 8*vo.*

This publication is merely a narrative of Lord Nelson's victories, diligently collected and compiled from the various official statements. It is a work, that must be ever particularly interesting to Englishmen, as it comprises a history of their greatest naval engagements, and the most important anecdotes of their greatest naval hero, whose name will descend in glory to the latest posterity of Britain.

The original part of Mr. Charnock's labours in this production (the only part, perhaps, which can be justly considered amenable to criticism) is very limited; the events themselves having been previously related, and their arrangement following the order of time. This, however, is not so dignified, as might have been expected in the execution of such a task. His style is indigent; his collocation oftentimes impure. In many instances he obviously evinces a disposition to give importance to trifles, which tends rather to lessen, than augment the splendour of his subject.

We can say little only in praise of the "observations" in these memoirs, and it would be unjust to judge them with all the *rigour* of criticism, since the author himself 'claims nothing but the merit of a faithful collector and reporter of that authentick information, which before was widely scattered under the publick eye.' His only design is, 'by this miniature representation of Lord Nelson, to correct the defects and mistakes of such miserable sketches as have already appeared, and to furnish an outline to those, who may in future be inclined to amplify on a subject, which affords such boundless space.' In conclusion he assures the reader, that if 'a work of this kind should not be undertaken by any one else, he may, at some future time, produce his best endeavours to such effect; to which he intends devoting all the leisure hours, which indisposition and private concerns may leave him.'

In the performance of such a plan, should Mr. Charnock retain his resolution, we wish much suc-

cess. The Life of Lord Viscount Nelson, executed by a man of talents and information, would doubtless be a work of no inconsiderable value. The history of the age, in which he lived, will be as much the subject of admiration with posterity, as perhaps any period, which can be contemplated in the retrospect of time. He will be recorded amongst the chief opposers of the torrent, which threatened to deluge the continent of Europe and the world, and that infatuated ambition, which, regardless of every tie, sacrifices to its gratification the dearest pledges of national honour and national tranquillity,

> ..... "hated through the coast
> Of *Palestine*, *in Gath*, and Ascalon,
> And Accaron, and Gaza's frontier-bounds."

The task of biography is laborious and difficult; for, as it is the most entertaining kind of history, in which truth may be embellished with the painting of romance; so it is the most arduous successfully to perform. Biography should be written with the pen of the poet in the hand of the historian. But at present as little ceremony is used in this species of composition, as that in filling up the blank parts of a *mittimus*. The writer seizes on the most important actions of the *subject*, taken from the nearest source; he rivets them together with *observations critical and explanatory*; and, in a week, produces a chain of three hundred folio links!—It would be an excellent *amendment*, if the High Court of Criticism could issue a DE LIBRO INSPICIENDO, previous to the author's delivery at the press.

The prosperity of *bibliothick commerce* is oftentimes fatal to the best interests of literature. The chief agents in this lucrative profession watch the demise of a great man with all the vigilance of his *undertakers*; and generally advertise *memoirs*, *sketches*, and *annals* of his life on the day, in which his funeral ceremony is to be performed.

ART. 67.

The complete Justice of the Peace; containing extracts from Burn's Justice, and other justiciary productions. The whole altered and made conformable to the laws and manners of administering justice, particularly in the state of New-Hampshire, and generally in the other of the United States; comprising the practice, authority, and duty of justices of the peace, with forms and precedents relating thereto. By a gentleman of the profession. Printed and published according to act of congress. C. Peirce, Portsmouth, and S. Bragg, jun. Dover, N. H. 8*vo*. $2,50. *Nov*. 1806.

THIS work is printed on very good paper, with a clear type, and appears in the common law binding. It seems to have been originally intended by the compiler as an abridgement of *Burn's Justice*; but the sessions, for which that work was more particularly calculated, being abolished, made every thing in *Burn*, excepting the forms, of little use. It contains, however, the greater part of that author's treatise on *arbitrament*. In the arrangement of the matter the compiler has generally followed Dalton, and the substance of the forms, as far as they were applicable, is from Burn.

Little can be said of a compilation of this nature from works already established in their reputa-

tion, but on the shape and manner in which they are again made to appear. Of this we have already spoken, and can only add, that it is a convenient book of reference, particularly to gentlemen of the profession in the state of New-Hampshire, to whom it is dedicated, and for whose use it has been more particularly compiled.

ART. 68.

An Inquiry into the present state of the foreign relations of the Union, as affected by the late measures of administration. S. F. Bradford, Philadelphia; Brisban & Brannan, New York; Wm. Andrews, Boston. *pp.* 184. 8*vo.*

THIS is a pamphlet of 180 pages. Its bulk would have deterred us from reading it, if it had not been our duty to perform the task, in order to give our readers some information of its contents. Many have not the leisure, and few will have the desire, to read a great book. A political writer should consider how little our "enlightened" countrymen read, except newspapers, and that consideration should induce him, when he composes a pamphlet, to study brevity.

Besides a dedication to the American people, and an introduction, which might both have been expunged by the author without any essential injury to his book, the first forty pages contain a great many general observations, which we venture to think could have been, and ought to have been, greatly condensed. They exhibit, no doubt, many important views of our political situation, but we could wish they had been omitted or abridged, because a good pamphlet is the better for being short. The declamatory style in which the writer has, we confess, too much indulged himself, leads to excessive prolixity.

He expatiates on the danger to the United States from the ambition and overgrown power of France. He insists on the fixedness of the commercial character of the nation, on the importance of commerce, and on the value of peace; and confutes some of the absurd opinions of factious men, in respect to our separating ourselves from the European republick of nations, and renouncing commerce. He gives reasons, very much at length, to shew, 'that we have every thing to fear from France,' and we could wish that every American, who has any share of sense and patriotism, would give attention to his reasons. Our danger from France is no doubt great, even while Great Britain resists her arms: But our citizens are not less sunk in apathy, than, according to this writer, the administration is in cowardice. If he had discussed this part of his subject with rather more temperance of manner, we think he would have made more converts. He is full of his subject, and sees the publick dangers, as they approach, with the eyes of a statesman, and the zeal of a true republican. But as politicks is every body's amusement and nobody's business, few readers, we are afraid, will volunteer it to get the heart-ache by too close and long contemplation of the insidious ambition of Bonaparte, and the unpreparing, perhaps unforeseen, pusillanimity of our administration.

We repeat it, therefore, we could wish the style of this pamphlet had been more simple, and the matter of it condensed into forty or fifty pages. For it contains so many

good things, which our citizens ought to know and consider, and the writer appears to possess so much information and sound political judgment, it is to be regretted that there is any thing to obstruct its circulation.

The democrats have not been sparing of electioneering pamphlets, which are not only below all criticism, but they have not lived long enough to meet it.

This pamphlet has, we confess, many faults, but it has many excellences, and, in our opinion, it is one of its excellences that it is composed in a spirit of boldness, and with a vigour of conception to denote the sincerity and zeal of the author. He speaks with the confidence of truth; and if the friends of administration could be persuaded to think the sense and reason of our citizens of any essential importance to their popularity, which was built and still stands upon their ignorance and prejudices, it might be hoped there would be an answer to this performance. They are, however, too discreet to subject Mr. Jefferson's merits to so perilous a test. It is a very rare thing to hear of an able discussion of any political subject in our country, though it is very common in England. It is because in England they have a greater number of sensible readers, or that party has not reduced the men of sense to the condition of insignificance and impotence, that Mr. Jefferson has accomplished in America. If Mr. Madison feels any parental fondness for his doctrine concerning neutral rights, he will find an adversary worthy of his pen, in the author of this publication. The extreme folly of the non-importation law is also exhibited in a manner to confound its advocates.

Our transactions with France and Spain occupy about eighty pages, and we could wish that every opposer of the friends and measures of Washington and Adams would spend two or three winter evenings in reading these observations. If he could finish the reading without feeling any flushes of indignation, he must want the spirit of this ardent writer, and almost the spirit of a man.... On the whole, therefore, we earnestly recommend this publication to our readers.

We give the following extracts from the pamphlet, as specimens of the author's style:

'In what respect are we, then, different from the subjugated states of Holland, Switzerland, and the other nations which are dependent upon France? We are fleeced to the full amount of our ability to pay—The United States have no fleets to add to the navy of France, and therefore they are not subjects of maritime requisition as Holland is—France does not want soldiers, for she supplies herself in Europe, and in part from Switzerland; and here, again, we are more privileged than the descendants of William Tell—But money she ever craves, and, to use a proverb of her own, "*l'appetit vient en mangeant*"—The United States are called upon, with the threats of France suspended over their heads, for millions of dollars: and when we ask, with a rueful aspect, what she is to give us for our purse, she answers, in the true style of a highway robber, *give it, or I blow you through*: we do give it, and then preach about the clemency of those, who might have killed us, and yet spared our existence!

Posterity will ask, who were the men, that thus betrayed their country's interests and glory? They must have been creatures, who never pretended to the name of American patriots; they could never have aspired to the characters of defenders of their country, and guardians of her greatness.' *P.* 146.

'In fact, what are we ever to fight for, if we are resolved not to defend ourselves? or when are we to take a hos-

tile attitude, unless at the hour when tyranny and injustice are in array against us? Do we get our money for French masters? do the freemen of the United States plough every sea, from Greenland to Cape Horn, and round to Kamtschatka, and home again? do they visit every climate, and gather the precious wares of the globe, all for Napoleon's splendour? And do the American artisans and farmers pay an addition of price for the articles which they consume, because of an extra duty of two and a half per cent. laid on certain imported articles, all for the pockets of Frenchmen? What sort of independence is this, which looks so like slavery? Is this the spirit of seventy-six? In seventy-six we would not pay a shilling of tax upon tea, because they, who asked it, asked it unjustly; and, now, we give two millions of dollars more, than the tea tax would have come to in a dozen years, to buy a peace from tyrants, who will never be at peace with independence.' *P.* 155.

'The prayers of the good are ever ascending to heaven, that war may be averted from their country; but, when its horrours can no longer be deferred, the prayers of the good are for success to the arms of a righteous cause. So will it ever, I hope, be with us. They, who are privileged to approach and converse with omnipotence, will never fail, in their greatest duty, to pray for the happiness of this free land, and for its preservation against foreign and domestick enemies; and, surely, he is no American, who would seek to embroil us with any nation, or say that, war was necessary, when peace is our certain happiness.' *P.* 175.

ART. 69.

A Sermon, delivered July 2d, 1806, at the ordination of the Rev. Joseph Richardson, A. M. to the pastoral care of the church and congregation of the first parish in Hingham, by the Rev. William Bentley, A. M. pastor of the second church in Salem.

We notice this sermon, because having read it through for that purpose, we do not choose to have so much labour lost. We were, however, somewhat staggered in this determination, as it is one of those productions which set criticism at defiance; the author having apparently sworn (as Shadwell is said to have done by Dryden) *to keep no truce with sense.* As for general observations, therefore, we can only remark, that, together with the usual appendages, this discourse forms a neat pamphlet of about twenty pages, stitched in blue, and printed at Boston. The text (we call it so by courtesy) is part of the concluding salutation of the 3d Epistle of St. John.

At no great distance from the beginning of the sermon, we found the following cluster of sentences:

'Time may weaken them, [prejudices] but they exist in the character of man. Victory is not by consent, and conquests seldom make friendships. At best, we are in a country, in which we may easily excite open rebellion. Not all the causes, which have concurred to recommend christianity, have preserved peace among its professors.'

As the last sentence but one appeared to us entirely disconnected, we thought, at first sight, that it might perhaps be a political observation, thrown in at random. However, we shall not be very confident in hazarding any opinion about Mr. B.'s meaning.

After forcing our way a little farther through the miserable brushwood of half-grown ideas, we came very abruptly upon the following observations:

'When life is sacred to good offices, men will confess its worth, and love its virtues. No prejudices will be open against it. No bigotry will exclude it, no superstition will refuse it, and every angry passion will pronounce it divine. Among good men such a friend is the angel of their strength, who is sure to comfort them.'

If the reader can discover sense in this passage, it must be ascribed rather to his own sagacity, than to the author's manner of using the English language.

The following was the next passage, which stopt us on our wearisome progress; it being somewhere toward the bottom of the third page.

'A father Gay may leave a good name, though a witness of the interruptions of life. And a Dr. Price may have indulged a friend, who could aim to rob age of its divine consolations.'

We confess that we are able to form no conjecture of the purport of the first sentence, which we have quoted. Of Dr. Gay, however, who, as a clergyman, was the predecessor of the present Professor Ware, we have heard nothing but good, and are sufficiently displeased to see his name introduced with such indecent familiarity, into such a sermon.

We will now bring forward an extract, somewhat longer than any we have yet offered:

'But though a good name may be the reward of integrity, yet it is to be gained by a good life. It seldom accompanies a man in all parts of his life. The disposition of light and shade in the picture, serve to finish it. He, who seeks no other recommendation, than present opinion may bring with it, may be seen, in the worst temptation, to abandon all just claim to virtue. A christian minister should not fall into such an errour. It is true, his doctrine is drawn from simple records, but he is not the only man who has examined them. Truth is pure, but the discipline of every christian association has not been drawn from truth itself. Like a father, he may prefer some ancient example....Like a friend, provide for a more pure state of society....As a christian, he may aspire after more generous affection.'

Surely no one will deny us praise, when, as drudges in the cause of literature, we have toiled through fifteen pages like this. We have not, however, the heart (like Dogberry) to bestow any more such tediousness upon our readers.

If we were to judge, from this production, we should conclude, that its author had not an whole idea in his mind. He certainly shines as a distinguished luminary among those stars, that Addison somewhere speaks of, which ray out darkness. Menenius (in Shakespeare) says of Coriolanus, that he is

"ill schooled
In boulted language; meal and bran together
He throws without distinction."

There is nothing worth notice in the other performances delivered upon the occasion.

ART. 69.

The Christian Monitor, a religious periodical work. By a society for promoting Christian knowledge, piety, and charity. No. III. containing eight sermons on the means of religion. Boston, Munroe & Francis. 12*mo. boards, pp.* 192.

A RELIGIOUS periodical work, well conducted, is always in place. The subject, being of universal and constant importance, should be presented in every form that promises to be useful. Small tracts and fugitive pieces are among the obvious means of maintaining and extending the principles and practice of religion. They are adapted to that numerous class of persons, who want leisure, capacity, or inclination to consult voluminous and systematick works. Publications of this popular cast are peculiarly suited to the condition of a people, among whom the readers are many and the students few; and among whom, consequently, the reception and useful-

ness of books are affected by the circumstances of their form and size. It must be admitted, that this avenue to the minds of men has not been neglected any where, at any period, since the discovery of printing, and may seem with us to be at present sufficiently occupied by religious productions, native and imported, of every size and character. But in this wide field there is room for successive labours. Much good may always be done by reviving old works, which have fallen into undeserved neglect; bringing into general notice others, which have a limited circulation, and by writing new treatises adapted to the state of opinions, and the spirit, taste, and manners of the times.

To conduct and support a publication comprising these objects, is the avowed design of the society under whose auspices the Christian Monitor appears. It is intended to contain, in a series of numbers, original and selected essays and sermons on the leading doctrines and duties of christianity, explanations of scripture, prayers, meditations, and other species of composition on sacred and moral topicks. In regard to theological opinions and questions of party the Monitor professes to be catholick, and to give instruction which the enlightened & serious of different sentiments may approve. It proposes to wear a practical, not disputatious aspect; to promote improvement, not to foment contention. It will therefore not go out of its way to treat controverted points; and when they necessarily occur, observe the laws of christian moderation. In *style and manner* it would be so intelligible and affecting, as may be requisite to profit and please the unlearned; and so correct and elegant, as not to offend the taste, nor forfeit the regard of more cultivated readers, who, however informed in other respects, have frequently as much need of religious knowledge as the illiterate.

We think a religious periodical work of such a character cannot fail to be acceptable and useful to many. It must serve to withstand the causes of irreligion and vice in general, and those, which mark the present times and state of society in particular. It must counteract the effects of ignorance and unbelief, of a disposition to thoughtlessness and levity; of misguided zeal and an arrogant, censorious, and uncharitable temper in some; of indifference and coldness in others. In one respect, if the execution comport with the design, it will fill a place hitherto unoccupied by similar publications in this country. The latter incorporate with their practical instruction speculative principles, which are contested, and particular phraseology, by many deemed exceptionable. This work professes to avoid resting the truth or excellence of christianity upon the certainty or value of those tenets, or the propriety of those phrases which have for ages divided and disturbed the christian world. It must therefore be suited to those, who feel incompetent and indisposed to be controvertists; and who would have a creed, comprising the general and evident doctrines of revelation, unperplexed with the subtilties of metaphysicks and unincumbered with the dogmas of technical theology. One class of persons only cannot endure such a method of teaching and inculcating the christian religion. It consists of those, who regard christianity, when represented without their *peculiar* and favourite constructions and in-

ferences, as good for nothing; and a christian, not belonging to their party, nor using their phraseology, as no better than a heathen. But as the dissatisfaction of these persons with the design of the Monitor is founded on what, in the opinion of its editors, constitutes its merit, the latter cannot be expected to prevent or remove it.

We had occasion to commend the former numbers of the Monitor, as adapted to its professed end. We spoke of the first, especially in the second edition, as an excellent manual of devotion; and of the second, as a happy illustration of the nature and spirit of practical christianity, as they are displayed in the character and conduct of our Saviour.

The present number is upon the *Means of religion.* It treats of the *importance and utility of religious means in general, religious consideration, prayer, the religious observance of the sabbath, publick worship, hearing the word, reading the holy scriptures,* and *religious conversation.*

These are topicks at once seasonable and important. It is very possible and has been very common in religion to lay undue stress upon instrumental duties and external performances. Enthusiasm has idolized its reveries and superstition rested upon rites and forms. Mankind, wishing for a cheap religion, have substituted the means for the end, the sign for the thing signified, the form for the power of godliness. It is far more easy to be orthodox, than good; to maintain a grave exteriour, than inward sanctity; to separate seasons for devout exercises, than to connect piety with the course of ordinary life. It costs far less self-denial to roll the eye, than to lift the soul to God, and to bend our knees, than to humble our pride. Men can read the scriptures, so as to become accomplished textuaries; and yet be strangers to the spirit breathed in the word of God. They can be pious with the mouth and tongue, and talk earnestly in all places and companies upon serious subjects, and yet grossly fail to live as they profess. "A pharisee's trumpet, says an old writer, shall be heard to the town's end, when simplicity walks through the town unseen." "Observed duties maintain our credit, but secret duties maintain our life."

But the danger to the cause of religion among us probably arises from another extreme; and we have less reason to fear the prevalence of superstition, hypocrisy, and enthusiasm, than indifference, scepticism, and a mistaken liberality. A great number, including some who have the character of enlightened men, able to rise above the power of prejudice, are more inclined to undervalue and neglect the forms and means of religion, than to exalt them into a disproportionate importance. They have a disposition to depreciate instrumental and positive duties; to consider themselves above the need of such assistances to piety, and that if they cultivate its spirit, they have no occasion to trouble themselves about its ceremonies. Hence they look to be religious, without meditation and prayer. They reject the aid of publick solemnities, or attend them without seriousness. Many are becoming inclined to remove the "mark of discrimination from the christian sabbath, and to blend it in the mass of unhallowed days." The custom of reading the scriptures, once so general, is falling into neglect, and serious topicks are very much excluded from conversation.

The volume under review dis-

plays the obligation and advantage of some of those exercises, called the means of religion, in a very satisfactory and engaging manner.—They are here represented both as holding an important place in the scale of human duties, and as necessary and suitable means for the formation of a virtuous and pious character. These discourses are marked by good sense, just theology, and a style easy, perspicuous, and pleasing. The author illustrates and enforces the sentiments he advances, not only by apt citations of passages of scripture, but by occasional extracts from the works of divines of venerable name. In reviewing a production of this kind it is not proper to try every expression by the rules of strict criticism; though in a literary view, and as a specimen of accurate composition, this volume is highly respectable. But whatever is written with a design to make men good should be estimated, not so much by its literary execution as by its tendency to effect its leading purpose. Whoever, be he learned or unlearned, shall read these sermons with a desire of being made wiser and better; of being informed and excited in his duty, will not need to be told that they are entitled to commendation. We present two extracts; the one from the sermon on "religious consideration," the other from the sermon "on prayer."

'Behold then the man who imitates the laudable example of the psalmist, and adopts a measure favourable to his recovery from guilt and misery to virtue and glory. Roused from the visionnary dream of lasting peace and comfort, independent of the approbation and favour of his God, he takes a comprehensive view of the nature, circumstances, and relations of his being; and diligently inquires to what end he was born, and for what purpose he came into the world? He contemplates the heavens and the earth with increased attention, and is penetrated with a sense of the wisdom, power, and benevolence of their glorious author, which he has not been accustomed to feel. He turns his thoughts within; and, in the curious structure of his body, and the wonderful properties of his soul, recognizes incontestible evidence of his derivation from an infinite intelligence, to whom he is indebted for existence and all its blessings. He recounts the numerous tokens of parental kindness, which he has received from his heavenly father, in the distinguished rank allotted him among the creatures of God; in the abundant provision made for his subsistence and accommodation; and in the still more illustrious manifestations of grace and truth for his eternal redemption by Jesus Christ. Convinced by these beneficent arrangements and signal interpositions, that man is formed for more dignity and durable enjoyment than earth can boast, it becomes a question of the first magnitude, whether he have not pursued the shadow to the neglect of the substance, and relied for happiness on possessions and gratifications incapable of yielding it? He therefore, "thinks on his ways;" considers with himself, what fruit he has already had, and what he is yet to expect from the course he has taken. Past experience thus called to testify bears witness that no sensual indulgence, or worldly acquisition has afforded the bliss it promised; that forbidden pleasures are always empty in participation and disgusting in review; and that the gains of ungodliness are invariably attended with remorse and foreboding fear. The more he reflects, the more sensibly does he feel, that nothing below the sun is adequate to the desires and capacities of an immortal mind; and the more clearly does he see, that "the wages of sin is death"; that beside the pain and sufferings, which it inflicts in this life, and which not unfrequently hasten the hour of dissolution, it entails the most insupportable evils on its deluded votaries beyond the grave.' *p.* 37.

'2. To pray for our connexions and friends, serves to purify domestick and social attachments; and to inspire principles and views, which exalt the ordinary interchange of civility and kindness into religious obedience.

This is a most effectual method of

inducing christian forbearance, condescension, and charity, in the treatment of those, with whom we are destined to live and converse. Without it, though we prescribe rules to ourselves, and say to the selfish and angry passions, "hitherto shall ye come, but no further," we may, notwithstanding, be transported beyond the bounds of moderation, and involved in the crimes and miseries of unreasonable animosity: With it, religion is made the umpire of our conduct, and the question comes home to our bosoms; how can we be unjust or censorious to those whom we are accustomed to commend to the guardian care and grace of God? The many petitions, in which we have plead for mercy in their behalf, will react upon our own hearts, and, calling into exercise our benevolent sensibilities, furnish the strongest incentives to that affectionate and conciliating deportment, which beside its conformity to the gospel of Christ, and the attendant prospect of a future reward, is adapted to engage the confidence and esteem of all within the sphere of its influence. Than this practice, what can more effectually ensure a uniform and faithful discharge of the various duties, which result from the conjugal, parental, filial, fraternal, and other intimate relations of human life. It sanctifies, cements, and endears the union between husband and wife. It encourages and directs parents in the instruction and government of their household. It heightens the gratitude, docility, and submission of children. It excites and aids brethren to "dwell together in unity." That family, whose heads and members bear each other in mind at their secret devotions; and, frequently appearing before God in company, jointly call upon his name for a supply of their individual and collective wants, must, of course, be impressed with a sense of their respective obligations, which will pervade every domestick transaction, alleviate every burden, and increase every joy. *pp.* 66, 67.

ART. 70.

A wreath for the Rev. Daniel Dow, pastor of a church in Thompson, Connecticut; on the publication of his familiar letters in answer to the Rev. John Sherman's treatise of one God in one person only, &c. By A. O. F. Utica, Merrell & Seward. 1806. 8vo.

BY reverting to the nineteenth and twentieth articles of our Review for the current year, the theological reader will readily discern the purport of this controversial tract. Its author, a warm friend of Mr. Sherman and of his unitarian sentiments, endeavours to support them; presses on his antagonist the protestant rule of the perfection and sufficiency of scripture; and, it must be confessed, detects a number of errours, not to say absurdities, in the "familiar letters." A. O. F. appears to think that he is justified by the example of the letter-writer in approaching him without any ceremony. He is sometimes serious and sometimes ludicrous, but uniformly severe; so full of sarcasm and personal reflections, and dealing his blows with so heavy a hand, as makes us almost quake for the lacerated feelings of the Rev. Daniel Dow.

ON THE LITERARY CHARACTER OF *DR. FRANKLIN.*

FROM A CELEBRATED ENGLISH PUBLICATION.

NOTHING, we think, can shew more clearly the singular want of literary enterprize or activity in the States of America, than that no one has yet been found in that flourishing republick to collect and publish the works of their only philosopher. It is not even very creditable to the liberal curiosity of the English publick, that

there should have been no complete edition of the writings of Dr. Franklin, till the year 1806 : and we should have been altogether unable to account for the imperfect and unsatisfactory manner in which the task has now been performed, if it had not been for a statement in the prefatory advertisement, which removes all blame from the editor, to attach it to a higher quarter. It is there stated, that recently after the death of the author, his grandson, to whom the whole of his papers had been bequeathed, made a voyage to London, for the purpose of preparing and disposing of a complete collection of all his published and unpublished writings, with memoirs of his life, brought down by himself to the year 1757, and continued to his death by his descendant. It was settled, that the work should be published in three quarto volumes, in England, Germany, and France ; and a negociation was commenced with the booksellers, as to the terms of the purchase and publication. At this stage of the business, however, the proposals were suddenly withdrawn, and nothing more has been heard of the work in this its fair and natural market. " The proprietor, it seems, had found a bidder of a different description, in *some emissary of government*, whose object was to *withhold* the manuscripts from the world, not to benefit it by their publication ; and they thus either passed into other hands, or the person to whom they were bequeathed received a remuneration for *suppressing* them."

If this statement be correct, we have no hesitation in saying, that no emissary of Government was ever employed on a more miserable and unworthy service. It is ludicrous to talk of the danger of disclosing, in 1795, any secrets of state, with regard to the war of American independence ; and as to any anecdotes or observations that might give offence to individuals, we think it should always be remembered, that publick functionaries are the property of the publick, that their character belongs to history and to posterity, and that it is equally absurd and discreditable to think of *suppressing* any part of the evidence, by which their merits must be ultimately determined. But the whole of the works that have been suppressed, certainly did not relate to republican politicks. The history of the author's life, down to 1757, could not well contain any matter of offence ; and a variety of general remarks and speculations, which he is understood to have left behind him, might have been permitted to see the light, though his diplomatick operations had been interdicted. The emissary of Government, however, probably took no care of these things ; he was resolved ' to leave no rubs nor botches in his work ;' and, to stifle the dreaded revelation, he thought the best way was to strangle all the innocents in the vicinage.

This self-taught American is the most rational, perhaps, of all philosophers. He never loses sight of common sense in any of his speculations ; and when his philosophy does not consist entirely in its fair and vigorous application, it is always regulated and controuled by it in its application and result. No individual, perhaps, ever possessed a juster understanding, or was so seldom obstructed in the use of it by indolence, enthusiasm, or authority.

Dr. Franklin received no regular education ; and he spent the great-

or part of his life in a society where there was no relish, and no encouragement for literature. On an ordinary mind these circumstances would have produced their usual effects, of repressing all sort of intellectual ambition or activity, and perpetuating a generation of incurious mechanicks; but to an understanding like Franklin's, we cannot help considering them as peculiarly propitious, and imagine that we can trace back to them, distinctly, almost all the peculiarities of his intellectual character.

Regular education, we think, is unfavourable to vigour or originality of understanding. Like civilization, it makes society more intelligent and agreeable; but it levels the distinctions of nature. It strengthens and assists the feeble; but it deprives the strong of his triumph, and casts down the hopes of the aspiring. It accomplishes this, not only by training up the mind in an habitual veneration for authorities, but, by leading us to bestow a disproportionate degree of attention upon studies that are only valuable as keys or instruments for the understanding, they come at last to be regarded as ultimate objects of pursuit; and the means of education are absurdly mistaken for its end. How many powerful understandings have been lost in the Dialecticks of Aristotle! and of how much good philosophy are we daily defrauded, by the preposterous errour of taking a knowledge of prosody for useful learning! The mind of a man, who has escaped this training, will at least have fair play. Whatever other errours he may fall into, he will be safe at least from these infatuations. If he thinks proper, after he grows up, to study Greek, it will be for some better purpose, than to become acquainted with its dialects. His prejudices will be those of a man, and not of a schoolboy; and his speculations and conclusions will be independent of the maxims of tutors, and the oracles of literary patrons.

The consequences of living in a refined and literary community are nearly of the same kind with those of a regular education. There are so many criticks to be satisfied—so many qualifications to be established—so many rivals to encounter, and so much derision to be hazarded, that a young man is apt to be deterred from so perilous an enterprize, and led to seek for distinction in some safer line of exertion. He is discouraged by the fame and the perfection of certain models and favourites, who are always in the mouths of his judges, and, 'under them, his genius is rebuked,' and his originality repressed, till he sinks into a paltry copyist, or aims at distinction, by extravagance and affectation. In such a state of society, he feels that mediocrity has no chance of distinction; and what beginner can expect to rise at once into excellence? He imagines that mere good sense will attract no attention; and that the manner is of much more importance than the matter, in a candidate for publick admiration. In his attention to the manner, the matter is apt to be neglected; and, in his solicitude to please those who require elegance of diction, brilliancy of wit, or harmony of periods, he is in some danger of forgetting that strength of reason, and accuracy of observation, by which he first propose to recommend himself. His attention, when extended to so many collateral objects, is no longer vigorous or collected,—the stream divided into so many channels, ceases to flow either deep or strong;—he becomes an unsuc-

cessful pretender to fine writing, and is satisfied with the frivolous praise of elegance or vivacity.

We are disposed to ascribe so much power to these obstructions to intellectual originality, that we cannot help fancying, that, if Franklin had been bred in a college, he would have contented himself with expounding the metres of Pindar, and mixing argument with his port in the common room; and that if Boston had abounded with men of letters, he would never had ventured to come forth from his printing-house, or been driven back to it, at any rate, by the sneers of the criticks, after the first publication of his essays in the Busy Body.

This will probably be thought exaggerated; but it cannot be denied, we think, that the contrary circumstances in his history had a powerful effect in determining the character of his understanding, and in producing those peculiar habits of reasoning and investigation by which his writings are distinguished. He was encouraged to publish, because there was scarcely any one around him whom he could not easily excel. He wrote with great brevity, because he had not leisure for more voluminous compositions, and because he knew that the readers to whom he addressed himself were, for the most part, as busy as himself. For the same reason, he studied great perspicuity and simplicity of statement: his countrymen had no relish for fine writing, and could not easily be made to understand a deduction depending on a long or elaborate process of reasoning. He was forced, therefore, to concentrate what he had to say; and since he had no chance of being admired for the beauty of his composition, it was natural for him to aim at making an impression by the force and the clearness of his statements.

His conclusions were often rash and inaccurate, from the same circumstances which rendered his productions concise. Philosophy and speculation did not form the business of his life; nor did he dedicate himself to any particular study, with a view to exhaust and complete the investigation of it in all its parts, and under all its relations. He engaged in every interesting inquiry that suggested itself to him, rather as the necessary exercise of a powerful and active mind, than as a task which he had bound himself to perform. He cast a quick and penetrating glance over the facts and the *data* that were presented to him; and drew his conclusions with a rapidity and precision that have not often been equalled; but he did not stop to examine the completeness of the *data* upon which he proceeded, nor to consider the ultimate effect or application of the principles to which he had been conducted. In all questions, therefore, where the facts upon which he was to determine, and the materials from which his judgment was to be formed, were either few in number, or of such a nature as not to be overlooked, his reasonings are for the most part perfectly just and conclusive, and his decisions unexceptionably sound; but where the elements of the calculation were more numerous and widely scattered, it appears to us that he has often been precipitate and that he has either been misled by a partial apprehension of the conditions of the problem, or has discovered only a portion of the truth which lay before him. In all physical inquiries; in almost all questions of particular and immediate policy; and in much of what relates to the practical wis-

dom and the happiness of private life, his views will be found to be admirable, and the reasoning by which they are supported most masterly and convincing. But upon subjects of general politicks, of abstract morality, and political economy, his notions appear to be more unsatisfactory and incomplete. He seems to have wanted leisure, and perhaps inclination also, to spread out before him the whole vast premises of these extensive sciences, and scarcely to have had patience to hunt for his conclusions through so wide and intricate a region as that upon which they invited him to enter. He has been satisfied, therefore, on every occasion, with reasoning from a very limited view of the facts, and often from a particular instance ; he has done all that sagacity and sound sense could do with such materials ; but it cannot excite wonder, if he has sometimes overlooked an essential part of the argument, and often advanced a particular truth into the place of a general principle. He seldom reasoned upon these subjects at all, we believe, without having some practical application of them immediately in view ; and as he began the investigation rather to determine a particular case, than to establish a general maxim, so he probably desisted as soon as he had relieved himself of the present difficulty.

There are not many among the thorough bred scholars and philosophers of Europe, who can lay claim to distinction in more than one or two departments of science or literature. The uneducated tradesman of America has left writings, that call for our attention, in natural philosophy,—in politicks,—in political economy,—and in general literature and morality.

Dr. Franklin, we think, has never made use of the mathematicks, in his investigation of the phenomena of nature ; and though this may render it surprising that he has fallen into so few errours of importance, we conceive that it helps in some measure to explain the unequalled perspicuity and vivacity of his expositions. An algebraist, who can work wonders with letters, seldom condescends to be much indebted to words, and thinks himself entitled to make his sentences obscure, provided his calculations be distinct. A writer who has nothing but words to make use of, must make all the use he can of them : he cannot afford to neglect the only chance he has of being understood.

We should now say something of the political writings of Dr. Franklin,—the productions which first raised him into publick office and eminence, and which will be least read or attended to by posterity. They may be divided into two parts ; those which relate to the internal affairs and provincial differences of the American colonies, before their quarrel with the mother country ; and those which relate to that quarrel and its consequences. The former are no longer in any degree interesting : and the editor has done wisely, we think, in presenting his readers with an abstract only of the longest of them ; this was published in 1759, under the title of an Historical Review of the Constitution of Pennsylvania, and consisted of upwards of 500 pages, composed for the purpose of shewing, that the political privileges reserved to the founder of the colony had been illegally and oppressively used.—The Canada pamphlet, written in 1760, for the purpose of pointing out the importance of retaining

that colony at the peace, is given entire ; and appears to be composed with great force of reason, and in a style of extraordinary perspicuity. The same may be said of what are called the Albany papers, or the plan for a general political union of the colonies in 1754 ; and of a variety of other tracts on the provincial politicks of that day. All these are worth preserving, both as monuments of Dr. Franklin's talents and activity, and as affording, in many places, very excellent models of strong reasoning and popular eloquence ; but the interest of the subjects is now completely gone by : and the few specimens of general reasoning which we meet with serve only to increase our regret, that the talents of the author should have been wasted on such perishable materials.

There is not much written on the subject of the dispute with the colonies ; and most of Dr. Franklin's papers on that subject are already well known to the publick. His examination before the House of Commons in 1766, affords a striking proof of the extent of his information, the clearness and force of his *extempore* composition, and the steadiness and self-possession, which enabled him to display these qualities with so much effect upon such an occasion. His letters before the commencement of hostilities, are full of grief and anxiety ; but, no sooner did matters come to extremities, than he appears to have assumed a certain keen and confident cheerfulness, not unmixed with a seasoning of asperity, and more vindictiveness of spirit, than perhaps became a philosopher.

None of Dr. Franklin's political writings, during the nine years when he resided as Ambassadour at the Court of France, have yet been made publick. Some of them, we should imagine, must be highly interesting.

Of the merit of this author as a political economist, we have already had occasion to say something, in the general remarks which we made on the character of his genius ; and we cannot now spare time to go much into particulars. He is perfectly sound upon many important and practical points ;— upon the corn-trade, and the theory of money, for instance ; and also upon the more general doctrines, as to the freedom of commerce, and the principle of population. In the more elementary and abstract parts of the science, however, his views seem to have been less just and luminous. He is not very consistent or profound, in what he says of the effects of luxury ; and seems to have gone headlong into the radical errour of the *Economistes*, when he maintains, that all that is done by manufacture, is to embody the value of the manufacturer's subsistence in his work, and that agriculture is the only source from which a real increase of wealth can be derived. Another favourite position is, that all commerce is *cheating*, where a commodity, produced by a certain quantity of labour, is exchanged for another, on which more labour has been expended ; and that the only *fair* price of any thing, is some other thing requiring the same exertion to bring it to market. This is evidently a very narrow and erroneous view of the nature of commerce. The fair price to the purchaser is, whatever he deliberately chooses to give, rather than go without the commodity ; it is no matter to him, whether the seller bestowed much or little labour upon it, or whether it came into his possession without any labour at all ; whether it be a diamond, which he

picked up, or a picture, at which he had been working for years. The commodity is not valued by the purchaser, on account of the labour which is supposed to be embodied in it, but solely on account of certain qualities, which he finds convenient or agreeable ; he compares the convenience and delight which he expects to derive from this object, with the convenience and delight which is afforded by the things asked in exchange for it ; and if he find the former preponderate, he consents to the exchange, and makes a beneficial bargain. We have stated the case in the name of a purchaser, because, in barter, both parties are truly purchasers, and act upon the same principles ; and it is easy to shew, that all commerce resolves itself ultimately into barter. There can be no unfairness in trade, except where there is concealment on the part of the seller, either of the defects of the commodity, or of the fact that the purchaser may be supplied with it at a cheaper rate by another. It is a matter of *fact*, but not of *morality*, that the price of most commodities will be influenced by the labour employed in producing them. If they are capable of being produced in unlimited quantities, the competition of the producers will sink the price very nearly to what is necessary to maintain this labour ; and the impossibility of continuing the production, without repaying that labour, will prevent it from sinking lower. The doctrine does not apply at all, to cases where the materials, or the skill necessary to work them up, are scarce in proportion to the demand. The author's speculation on the effects of paper-money, seem also to be superficial and inaccurate. *Statisticks* had not been carefully studied in the days of his activity ; and, accordingly, we meet with a good deal of loose assumption, and sweeping calculation, in his writings. Yet he had a genius for exact observation, and complicated detail ; and probably wanted nothing but leisure, to have made very great advances in this branch of economy.

As a writer on morality and general literature, the merits of Dr. Franklin cannot be estimated properly, without taking into consideration the peculiarities, that have been already alluded to, in his early history and situation. He never had the benefit of any academical instruction, nor of the society of men of letters ; his style was formed entirely by his own judgment and reading ; and most of his moral pieces were written while he was a tradesman, addressing himself to the tradesmen of his native city. We cannot expect, therefore, either that he should write with extraordinary elegance or grace ; or that he should treat of the accomplishments, follies, and occupations of polite life. He had no great occasion, as a moralist, to expose the guilt and the folly of gaming or seduction ; or to point a poignant and playful ridicule against the lighter immoralities of fashionable life. To the mechanicks and traders of Boston and Philadelphia, such warnings were altogether unnecessary ; and he endeavoured, therefore, with more appropriate eloquence, to impress upon them the importance of industry, sobriety, and economy, and to direct their wise and humble ambition to the attainment of useful knowledge and honourable independence. That morality, after all, is certainly the most valuable, which is adapted to the circumstances of the greater part of mankind ; and that eloquence is the most meritorious, that is calculated to convince and persuade the mul-

titude to virtue. Nothing can be more perfectly and beautifully adapted to its object, than most of Dr. Franklin's compositions of this sort. The tone of familiarity, of good-will, and homely jocularity; the plain and pointed illustrations; the short sentences, made up of short words; and the strong sense, clear information, and obvious conviction of the author himself, make most of his moral exhortations perfect models of popular eloquence; and afford the finest specimens of a style which has been but too little cultivated in a country, which numbers perhaps more than one hundred thousand readers among its tradesmen and artificers.

In writings which possess such solid and unusual merit, it is of no great consequence that the fastidious eye of a critick can discover many blemishes. There is a good deal of vulgarity in the practical writings of Dr. Franklin; and more vulgarity than was any way necessary for the object he had in view. There is something childish, too, in some of his attempts at pleasantry: his story of the Whistle, and his Parisian letter, announcing the discovery that the sun gives light as soon as he rises, are instances of this. The soliloquy of an Ephemeris, however, is much better; and both it, and the Dialogue with the Gout, are executed with the lightness and spirit of genuine French compositions. The Speech in the Divan of Algiers, composed as a parody on those of the defenders of the slave-trade, and the scriptural parable against persecution, are inimitable; they have all the point and facility of the fine pleasantries of Swift and Arbuthnot, with something more of directness and apparent sincerity.

The style of his letters, in general, is excellent. They are chiefly remarkable, for great simplicity of language, admirable good sense and ingenuity, and an amiable and inoffensive cheerfulness, that is never overclouded or eclipsed. Among the most valuable of the writings that are published for the first time, in the last edition, are four letters from Dr. Franklin to Mr. Whatley, written within a few years of his death, and expressive of all that unbroken gaiety, philanthropy, and activity, which distinguish the compositions of his earlier years.

His account of his own life, down to the year 1730, has been in the hands of the publick since 1790. It is written with great simplicity and liveliness, though it contains too many trifling details and anecdotes of obscure individuals. It affords a striking example of the irresistible force with which talents and industry bear upwards in society, as well as an impressive illustration of the substantial wisdom and good policy of invariable integrity and candour. We should think it a very useful reading for all young persons of unsteady principle, who have their fortunes to make or to mend in the world. Upon the whole, we look upon the life and writings of Dr. Franklin as affording a striking illustration of the incalculable value of a sound and well directed understanding, and of the comparative uselessness of learning and laborious accomplishments. Without the slightest pretensions to the character of a scholar or a man of science, he has extended the bounds of human knowledge on a variety of subjects, which scholars and men of science had previously investigated without success; and has only been found deficient in those studies which the learned have generally turned from in disdain. We would not be understood to say any thing in disparagement of scholarship

and science; but the value of these instruments is apt to be overrated by their possessors; and it is a wholesome mortification, to shew them that the work may be done without them. We have long known, that their employment does not ensure its success.

MONTHLY CATALOGUE

Of New Publications in the United States for December.

Sunt bona, sunt quædam mediocria, sunt mala plura.—Mart.

NEW WORKS.

American Annals; or a chronological history of America, from its discovery in 1492, to 1806. In 2 volumes. By Abiel Holmes, D.D. A.A.S. S.H.S. minister of the first church in Cambridge. —*Suum quæque in annum referre. Tacit. annal.* Vol. II., comprising a period of one hundred and fourteen years. 8vo. pp. 540, Price $4. Cambridge, Wm. Hilliard.

The Philadelphia Medical Museum, for June and July, 1806. Vol. II. No. II. Total, No. X. Conducted by John Redman Coxe, M. D. of Philadelphia. 8vo. Price 50 cts. Philadelphia, for Thomas Dobson. Bartram, printer.

The Philadelphia Medical and Physical Journal, Part II, Vol. II, collected and arranged by Benjamin Smith Barton, M. D. Professor of Materia Medica, Natural History, and Botany, in the University of Pennsylvania. 8vo. $1, boards. Philadelphia, Conrad & Co.

A Report of the Trial of Andrew Wright, on an indictment for libels against Governour Strong, before the Hon. Theophilus Parsons, chief justice of the supreme judicial court of Massachusetts, at Northampton, September term, 1806. 8vo. 25 cents. Northampton, Wright.

Politicks Sermonized; exhibited in Ashfield, on July 4, 1806. By Elder John Leland. 12 cts. Northampton.

No. I. of The Monthly Register, Magazine, and Review of the United States, for December. Being a continuation of the Monthly Register and Review, newly arranged. This work will be conducted as before, by S. C. Carpenter, in connection with another gentleman of first rate acquirements in every department of literature. Price $6 per ann. 8vo. pp. 64. New-York.

A View of the Blood Vessels of the Human Body, from engravings lately published in England, by an eminent artist, under the direceion of Sir Christopher Pegge, Professor of Anatomy in the University of Oxford. The size of the engravings, which are beautifully coloured, is 20 by 30 inches. Price $8. Philadelphia, D. Edwin.

The Sacred Minstrel, No. I. Containing an introduction to psalmody, practical essay on modulation, and a collection of sacred musick, suitable for religious worship, selected and composed. By Uri K. Hill. Price 50 cts. Boston, Manning & Loring.

A Vision respecting the fate of the Rev. John Sherman's last publication; or his "View of Ecclesiastical Proceedings, &c." offered to the publick as a spur to the lovers of truth and long established doctrines—to defend the wholesome religion of our fathers against the daring attempts of modern innovators in church and state.—*Ridentem dicere verum quid retat.* Price 12½ cts. Worcester, Isaiah Thomas, jun.

Two Sermons on quitting the old, and entering the new meeting house, in the first parish of Newbury; with an appendix, containing an historical account of the parish from the first settlement of the church and ministry, and biographical sketches of the several ministers. By John S. Popkin, A. M. 8vo. pp. 72. Newburyport, A. March.

Free Communion of all Christians at the Lord's Table; illustrated and defended, in a discourse. To which is added, a short specimen of the proceedings of the Baptist Church, and Council, in their labour with, and withdrawing fellowship from the author. By Elder Simeon Snow, late Elder of a Baptist Church in Guilford. Greenfield, Denio.

A Discourse, commemorative of the late Maj. Gen. William Moultrie, delivered in the Independent Church, Charleston, (S. C.) on the 15th of

Oct. 1805, at the request of the Society of the Cincinnati of South-Carolina, before that Society and the American Revolution Society. By William Hollingshead, D. D. Charleston. Peter Freneau.

The happy voyage completed, and the sure anchor cast. A sermon, occasioned by the universally lamented death of Capt. Jonathan Parsons, who departed this life at sea, Dec. 29, 1781, in the 50th year of his age: preached at the Presbyterian church in Newburyport, Feb. 27, 1788. Published at the request of the Newburyport Marine Society. By John Murray, pastor of said church. 8vo. Newburyport, reprinted by W. Allen. Dec. 1806.

Two Discourses, occasioned by the sudden deaths of Joseph Brown, jun. Æt. 23, and James Jenness, Æt. 24; who were drowned near Rye-beach, N. H. on the evening of the 9th Sept. 1806. The former delivered Sept. 10th, at the time of interment; the latter delivered the Lord's day following. By William Pidgin, A.M. minister of a Presbyterian Church in Hampton.—Newburyport, E. W. Allen.

A Sermon, preached at the meeting-house in the vicinity of Dartmouth College, on the sabbath preceding Commencement, 1806; and published at the request of the inhabitants and students. By Elijah Parish, A.M. pastor of the church of Christ in Byefield, Mass. Hanover, N.H. Davis. 1806.

A correct Table of the real and imaginary Monies of the whole Commercial World, with the intrinsick Value of the Coin of each country reduced to Federal Money. 25 cents. Boston, Russell & Cutler.

The Voice of the Turtle; a selection of devotional pieces in verse and prose, being the exercises of young converts. By Thomas Rand, A. B. 37 cents. Northampton, Wright.

The Village Compilation of Sacred Musick; containing upwards of one hundred and forty pieces of Musick, calculated for divine worship; besides a number of set pieces, for occasional purposes. By Daniel Belknap. Price 75 cts. Boston, Manning & Loring.

NEW EDITIONS.

The Works of the Right Hon. Edmund Burke. Vol. I. 8vo. pp. 491. Boston, published by John West, 75, Cornhill, and O. C. Greenleaf, 3, Court-Street, 1806.

A Translation of the Alcoran of Mahomet. Worcester, I. Thomas, jun.

Poems, written on different occasions, by Charlotte Richardson; to which is prefixed, some account of the author. By Catharine Cappe. 12mo. Philadelphia, Kimber, Conrad & Co.

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IN THE PRESS.

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Letters of the late Lord Lyttleton, only son of the venerable George Lord Lyttleton, and chief justice of Eyre, &c. Two volumes complete in one. The first American, from the eighth London edition. To which will be added, a memoir concerning the author, including an account of some extraordinary circumstances attending his death.—8vo. between 260 and 300 pages, on fine wire-wove paper. Price to subscribers $1,75 in sheep, $2,25 in calf binding. Troy, N.Y. Wright, Goodenow, & Stockwell. Subscriptions for this work are received at the Anthology Office.

Lectures on the Elements of Chemistry. By Joseph Black, M.D. Professor of Chemistry in the University of Edinburgh. First American edition, with plates. 3 vols. 8vo. wove paper. Price $7 to subscribers. Philadelphia, Mathew Carey.

Major Thomas U. P. Carlton, attorney general of Georgia, is preparing for the press a work, to be entitled, "The Life of Major-General James Jackson, and a history of the Revolution in the State of Georgia."

STATEMENT OF DISEASES, &c.

from Nov. 20 to Dec. 20, 1806.

The atmospherick temperature, during the past month, has been milder than common. Although the range of the thermometer has been between 17° and 32°, during two or three days, yet, excepting these, it has been generally between 32 and 42°. Rains, alternated with fogs and fugitive snows, have given this month the aspect of April, rather than that of December. At this season

the westerly winds gain a decided ascendency over those from the east. In our observations we have noted the wind nine times from easterly points, and twenty-five, westerly. The mildness of the weather is to be attributed to the prevalence of the west and south-west winds.

The sum of disease is not considerable. Simple *fever* has been disappearing. In its place we see *rheumatism*, severe *catarrh*, *inflammation of the fauces* and of the *lungs*. The latter complaint has been hitherto almost confined to children. A more formidable disease has also appeared, the *Scarlatina*. Of this, we have seen the varieties of, 1st, scarlatina simplex; 2d, ulcerated scarlet throat; 3d, scarlatina anginosa; and also an exanthema, differing from scarlatina simplex, in wanting the consecutive desquamation of the cuticle. Whether this last belong to the genus *scarlatina*, cannot at present be determined.—As this disease frequently ravages the whole country, and has lately been epidemick in different parts of it, probably it will prevail here. For which reason, it is proper to excite the attention of physicians and of the publick to that mode of practice, which has been recently adopted in England, and recommended to the world by high authorities. This practice consists in the application of cold or tepid water to the whole surface of the body. The application must not be made with a partial, nor sparing hand; it must be made thoroughly and universally. Dr. Curry relates, that, after making satisfactory experiments of its efficacy, he determined to employ it on his own children, should they be attacked by the disease. At this time the scarlet fever had appeared in the vicinity and proved fatal to several children. Soon after, it seized two of his boys, one five, the other three years of age. I shut myself up with these boys, says he; and with plenty of pump water and a pocket thermometer, prepared, not without anxiety, to combat this formidable disease. As soon as the sensation of heat was steady in my eldest boy, I stripped him naked, and poured four gallons of water over him, of the temperature of 64°. The usual good effects immediately appeared, but at the end of two hours he was as hot as ever. The remedy was again applied, and repeated as the return of heat indicated. By the time the eldest was ready for his third affusion, the youngest was ready for his first. In thirty-two hours, the first had the affusion fourteen times; eight times cold, twice cool, and four times tepid. Twelve affusions sufficed in the case of the youngest, of which seven were cold. The fever was in both completely subdued. The celebrated Dr. Gregory of *Edinburgh*, and many other learned physicians, give their full sanction to this practice. Whether there exist any circumstances in the character of the disease in this country, which is repugnant to this remedy, is to be decided by experience. The experiment ought to be made, if it is believed that former methods of treatment are inefficacious.* At the time the disease first appeared in this country, it was the fashion to evacuate the patient so thoroughly, as to leave but little vitality for the disease to consume. At another period, bark and wine were poured down, in all stages of the complaint; to extinguish the fire, they heaped on fuel. No wonder that the writers of that day relate, that, after the patients had been bled, puked, purged, sweated, blistered, and glystered, the unfortunates died. They tell us, that the successful method was at last discovered by Dr. Douglass of *Boston*. This consisted in keeping the patient in bed, in a moderate warmth; giving gentle diaphoretics, yet not so as to produce sweating, and a great plenty of *sage-tea*. In other words, Dr. Douglass gave nature a fair chance. —There is no doubt, that in some cases an emetic may be beneficial, at the commencement of the complaint, by giving such a shock to the system, as to break the thread of disease. Purgatives may certainly be employed, yet with great caution, in every stage of the disorder; and only so far, as to produce evacuations of fœcal matter, and diseased secretions. The treatment will often require varying in different years, according to the peculiar character of the disease, which ought therefore to be attentively studied.

* During the cold season it may be proper to employ tepid water, at least in the first experiments.

Erratum.—In the present number, in the poetry headed "Erin," p. 643, for

While perfum'd breezes in the tree-tops plays,—read

While perfum'd breezes in the tree-tops play'd.

THE POLITICAL CABINET.

Registra in usum historiæ complectuntur principum edicta, senatuum decreta, judiciorum processus, orationes publice habitæ, epistolæ publice missæ, et similia, absque narrationis contextu, sive filo continuo.—Bacon de Aug. Sci.

In order to give a more durable value to our work than it has yet possessed, we propose to appropriate the eight pages, which in consequence of increased patronage we are enabled to add, to the publication of interesting American state papers, and generally of authenticated documents, having for their objects the history, statisticks, &c. of our country, to be published as an appendix to the Anthology, paged by itself, so that, if subscribers please, it may be bound as a separate volume.

MESSAGES
OF
THE PRESIDENT OF THE UNITED STATES.

COMMUNICATION TO BOTH HOUSES OF CONGRESS, AT THE COMMENCEMENT OF THE FIRST SESSION OF THE NINTH CONGRESS, DECEMBER 3, 1805.

To the Senate and House of Representatives of the United States of America.

AT a moment when the nations of Europe are in commotion and arming against each other, when those with whom we have principal intercourse are engaged in the general contest, and when the countenance of some of them towards our peaceable country, threatens that even that may not be unaffected by what is passing on the general theatre, a meeting of the representatives of the nation, in both houses of congress, has become more than usually desirable. Coming from every section of our country, they bring with them the sentiments and the information of the whole, and will be enabled to give a direction to the publick affairs, which the will and the wisdom of the whole will approve and support. In taking a view of the state of our country, we, in the first place, notice the late affliction of two of our cities, under the fatal fever, which in latter times has occasionally visited our shores. Providence, in his goodness, gave it an early termination on this occasion, and lessened the number of victims which have usually fallen before it. In the course of the several visitations by this disease, it has appeared to be strictly local, incident to cities and on the tide waters only, incommunicable in the country, either by persons under the disease, or by goods carried from diseased places; that its access is with the autumn, and it disappears with the early frosts. These restrictions, within narrow limits of time and space, give security, even to our maritime cities, during three fourths of the year, and to the country always; although from these facts it appears unnecessary, yet, to satisfy the fears of foreign nations, and cautions on their part are not to be complained of, in a danger whose limits are yet unknown to them, I have strictly enjoined on the officers at the head of the customs to certify with exact truth, for every vessel sailing for a foreign port, the state of health respecting this fever which prevails at the place from which she sails. Under every motive from character and duty to certify the truth, I have no doubt they have faithfully executed this injunction. Much real injury has however been sustained from a propensity to identify with this endemick, and to call by the same name, fevers of very

different kinds, which have been known at all times and in all countries, and never have been placed among thoſe deemed contagious. As we advance in our knowledge of this diſeaſe, as facts develope the ſource from which individuals receive it, the ſtate authorities charged with the care of the publick health, and congreſs with that of the general commerce, will become able to regulate with effect their reſpective functions in theſe departments. The burthen of quarantines is felt at home as well as abroad; their efficacy merits examination. Although the health laws of the ſtates ſhould be found to need no preſent reviſal by Congreſs, yet commerce claims that their attention be ever awake to them.

Since our laſt meeting, the aſpect of our foreign relations has conſiderably changed. Our coaſts have been infeſted, and our harbours watched, by private armed veſſels, ſome of them without commiſſions, ſome with illegal commiſſions, others, with thoſe of legal form, but committing piratical acts beyond the authority of their commiſſions. They have captured in the very entrance of our harbours, as well as on the high ſeas, not only the veſſels of our friends, coming to trade with us, but our own alſo. They have carried them off under pretence of legal adjudication, but, not daring to approach a court of juſtice, they have plundered and ſunk them by the way, or in obſcure places, where no evidence could ariſe againſt them, maltreated the crews, and abandoned them in boats, in the open ſea, or on deſert ſhores, without food or covering. Theſe enormities, appearing to be unreached by any control of their ſovereigns, I found it neceſſary to equip a force, to cruize within our own ſeas, to arreſt all veſſels of theſe deſcriptions found hovering on our coaſts within the limits of the Gulf Stream, and to bring the offenders in for trial as pirates.

The ſame ſyſtem of hovering on our coaſts and harbours, under colour of ſeeking enemies, has been alſo carried on by publick armed ſhips, to the great annoyance and oppreſſion of our commerce. New principles too have been interpolated into the law of nations, founded neither in juſtice, nor the uſage or acknowledgment of nations. According to theſe, a belligerent takes to itſelf a commerce with its own enemy, which it denies to a neutral, on the ground of its aiding that enemy in the war. But reaſon revolts at ſuch an inconſiſtency; and the neutral, having equal right with the belligerent to decide the queſtion, the intereſts of our conſtituents, and the duty of maintaining the authority of reaſon, the only umpire between juſt nations, impoſe on us the obligation of providing an effectual and determined oppoſition to a doctrine ſo injurious to the rights of peaceable nations. Indeed the confidence we ought to have in the juſtice of others, ſtill countenances the hope, that a ſounder view of thoſe rights will of itſelf induce from every belligerent a more correct obſervance of them.

With Spain our negociations for a ſettlement of differences have not had a ſatisfactory iſſue. Spoliations during the former war, for which ſhe had formally acknowledged herſelf reſponſible, have been refuſed to be compenſated but on conditions affecting other claims in no wiſe connected with them. Yet the ſame practices are renewed in the preſent war, and are already of great amount. On the Mobile, our commerce, paſſing through that river, continues to be obſtructed by arbitrary duties and vexatious ſearches. Propoſitions for adjuſting amicably the boundaries of Louiſiana have not been acceded to. While however the right is unſettled, we have avoided changing the ſtate of things, by taking new poſts, or ſtrengthening ourſelves in the diſputed territories, in the hope that the other power would not by a contrary conduct, oblige us to meet their example, and endanger conflicts of authority, the iſſue of which may not be eaſily controlled. But in this hope we have now reaſon to leſſen our confidence. Inroads have been recently made into the territories of Orleans and the Miſſiſſippi. Our citizens have been ſeized and their property plundered in the very parts of the former which had been actually delivered up by Spain: and this by the regular officers and ſoldiers of that government. I have, therefore, found it neceſſary at length to give orders to our troops on that frontier, to be in readineſs to protect our citizens, and to repel by arms any ſimilar aggreſſions in future. Other details neceſſary for your full information of the ſtate of things between this country and that, ſhall be the ſubject of another communication.

In reviewing theſe injuries from ſome of the belligerent powers, the moderation, the firmneſs, and the wiſdom of the legiſlature will all be called into action. We

ought ſtill to hope, that time and a more correct eſtimate of intereſt, as well as of character, will produce the juſtice we are bound to expect.

But ſhould any nation deceive itſelf by falſe calculations, and diſappoint that expectation, we muſt join in the unprofitable conteſt, of trying which party can do the other the moſt harm. Some of theſe injuries may perhaps admit a peaceable remedy. Where that is competent, it is always the moſt deſirable. But ſome of them are of a nature to be met by force only, and all of them may lead to it. I cannot therefore but recommend ſuch preparations as circumſtances call for. The firſt object is to place our ſea-port towns out of the danger of inſult. Meaſures have been already taken for furniſhing them with heavy cannon, for the ſervice of ſuch land batteries, as may make a part of their defence againſt armed veſſels approaching them. In aid of theſe, it is deſirable we ſhould have a competent number of gun-boats: and the number, to be competent, muſt be conſiderable. If immediately begun, they may be in readineſs for ſervice at the opening of the next ſeaſon. Whether it will be neceſſary to augment our land forces, will be decided by occurrences probably in the courſe of your ſeſſion. In the mean time, you will conſider, whether it would not be expedient, for a ſtate of peace as well as of war, ſo to organize or claſs the militia as would enable us, on a ſudden emergency, to call for the ſervices of the younger portions, unincumbered with the old and thoſe having families. Upwards of three hundred thouſand able bodied men, between the ages of eighteen and twenty-ſix years, which the laſt cenſus ſhews we may now count within our limits, will furniſh a competent number for offence or defence, in any point where they may be wanted, and will give time for raiſing regular forces, after the neceſſity of them ſhall become certain: and the reducing to the early period of life all its active ſervice, cannot but be deſirable to our younger citizens of the preſent, as well as future times; inaſmuch as it engages to them, in more advanced age, a quiet and undiſturbed repoſe in the boſom of their families. I cannot then but earneſtly recommend to your early conſideration, the expediency of ſo modifying our militia ſyſtem, as, by a ſeparation of the more active part from that which is leſs ſo, we may draw from it, when neceſſary, an efficient corps, fit for real and active ſervice, and to be called to it in regular rotation.

Conſiderable proviſion has been made under former authorities from Congreſs, of materials for the conſtruction of ſhips of war of 74 guns--theſe materials are on hand, ſubject to the further will of the legiſlature.

An immediate prohibition of the exportation of arms and ammunition is alſo ſubmitted to your determination.

Turning from theſe unpleaſant views of violence and wrong, I congratulate you on the liberation of our fellow citizens, who were ſtranded on the coaſts of Tripoli, and made priſoners of war. In a government bottomed on the will of all, the life and liberty of every individual citizen becomes intereſting to all. In the treaty therefore which has concluded our warfare with that ſtate, an article for the ranſom of our citizens has been agreed to. An operation by land by a ſmall band of our countrymen, and others engaged for the occaſion, in conjunction with the troops of the ex-baſhaw of that country, gallantly conducted by our late conſul Eaton, and their ſucceſsful enterprize on the city of Derne, contributed doubtleſs to the impreſſion which produced peace: and the concluſion of this prevented opportunities, of which the officers and men of our ſquadron deſtined for Tripoli would have availed themſelves to emulate the acts of valour exhibited by their brethren in the attack of the laſt year. Reflecting with high ſatisfaction on the diſtinguiſhed bravery, diſplayed whenever occaſions permitted in the late Mediterranean ſervice, I think it would be an uſeful encouragement, as well as a juſt reward, to make an opening for ſome preſent promotion, by enlarging our peace eſtabliſhment of captains and lieutenants.

With Tunis ſome miſunderſtandings have ariſen not yet ſufficiently explained; but friendly diſcuſſions with their ambaſſador, recently arrived, and a mutual diſpoſition to do whatever is juſt and reaſonable cannot fail of diſſipating theſe. So that we may conſider our peace, on that coaſt generally, to be on as ſound a footing as it has been at any preceding time. Still it will not be expedient to withdraw immediately the whole of our force from that ſea.

The law providing for a naval peace eſtabliſhment fixes the number of frigates, which ſhall be kept in conſtant ſervice in time of peace, and preſcribes that they

ſhall be manned by not more than two-thirds of their compliment of ſeamen and ordinary ſeamen. Whether a frigate may be truſted to two-thirds only of her proper compliment of men, muſt depend on the nature of the ſervice on which ſhe is ordered; that may ſometimes for her ſafety, as well as to enſure her object, require her fulleſt compliment. In adverting to this ſubject, congreſs will perhaps conſider, whether the beſt limitation on the executive diſcretion in this caſe would not be, by the number of ſeamen which may be employed in the whole ſervice, rather than by the number of veſſels. Occaſions oftener ariſe for the employment of ſmall than of large veſſels, and it would leſſen riſk as well as expenſe to be authorized to employ them of preference; the limitation ſuggeſted by the number of ſeamen would admit a ſelection of veſſels beſt adapted to the ſervice.

Our Indian neighbours are advancing, many of them with ſpirit, and others beginning to engage, in the purſuits of agriculture and houſehold manufacture. They are becoming ſenſible that the earth yields ſubſiſtence with leſs labour and more certainty than the foreſt, and find it their intereſt from time to time to diſpoſe of parts of their ſurplus and waſte lands for the means of improving thoſe they occupy, and of ſubſiſting their families while they are preparing their farms. Since your laſt ſeſſion the northern tribes have ſold to us the lands between the Connecticut reſerve and the former Indian boundary; and thoſe on the Ohio, from the ſame boundary to the Rapids and for a conſiderable depth inland. The Chickaſaws and Cherokees have ſold us the country between, and adjacent to, the two diſtricts of Tenneſſee; and the Creeks the reſidue of their lands in the fork of Ocmulgee, up to the Ulcofauhatche. The three former purchaſes are important, inaſmuch as they conſolidate diſjoined parts of our ſettled country, and render their intercourſe ſecure; and the ſecond particularly ſo, as, with the ſmall point [illegible] river, which we expect is by this time ceded by the Piankeſhaws, it completes our poſſeſſion of the whole of both banks of the Ohio, from its ſource to near its mouth, and the navigation of that river is thereby rendered forever ſafe to our citizens ſettled and ſettling on its extenſive waters. The purchaſe from the Creeks too has been for ſome time peculiarly intereſting to the ſtate of Georgia.

The ſeveral treaties which have been mentioned will be ſubmitted to both houſes of congreſs for the exerciſe of their reſpective functions.

Deputations now on their way to the ſeat of government, from various nations of Indians, inhabiting the Miſſouri and other parts beyond the Miſſiſſippi, come charged with aſſurances of their ſatisfaction with the new relations in which they are placed with us, of their diſpoſitions to cultivate our peace and friendſhip, and their deſire to enter into commercial intercourſe with us.

A ſtate of our progreſs in exploring the principal rivers of that country, and of the information reſpecting them hitherto obtained, will be communicated as ſoon as we ſhall receive ſome further relation, which we have reaſon ſhortly to expect.

The receipts at the treaſury, during the year ending on the 30th day of September laſt, have exceeded the ſum of thirteen millions of dollars, which, with not quite five millions in the treaſury at the beginning of the year, have enabled us, after meeting other demands, to pay nearly two millions of the debt contracted under the Britiſh treaty and convention, upwards of four millions of principal of the publick debt, and four millions of intereſt. Theſe payments, with thoſe which had been made in three years and half preceding, have extinguiſhed of the funded debt nearly eighteen millions of principal.

Congreſs, by their act of November 10, 1803, authoriſed us to borrow 1,750,000 dollars towards meeting the claims of our citizens, aſſumed by the convention with France. We have not however made uſe of this authority: becauſe the ſum of four millions and an half, which remained in the treaſury on the ſame 30th day of September laſt, with the receipts which we may calculate on for the enſuing year, beſides paying the annual ſum of eight millions of dollars, appropriated to the funded debt, and meeting all the current demands which may be expected, will enable us to pay the whole ſum of three millions ſeven hundred and fifty thouſand dollars, aſſumed by the French convention, and ſtill leave us a ſurplus of nearly a million of dollars at our free diſpoſal. Should you concur in the proviſions of arms and armed veſſels recommended by the circumſtances of the times, this ſurplus will furniſh the means of doing ſo.

On this firſt occaſion of addreſſing congreſs, ſince, by the choice of my conſtitu-

ſtits, I have entered on a ſecond term of adminiſtration, I embrace the opportunity to give this publick aſſurance that I will exert my beſt endeavours to adminiſter faithfully the executive department, and will zealouſly co-operate with you in every meaſure which may tend to ſecure the liberty, property, and perſonal ſafety of our fellow citizens, and to conſolidate the republican forms and principles of our government.

In the courſe of your ſeſſion, you ſhall receive all the aid which I can give for the diſpatch of the publick buſineſs, and all the information neceſſary for your deliberations, of which the intereſts of our own country and the confidence repoſed in us by others, will admit a communication. TH: JEFFERSON.

Dec. 3, 1805.

A REPORT FROM THE GOVERNOUR, AND PRESIDING JUDGE OF THE TERRITORY OF MICHIGAN, RELATIVE TO THE STATE OF THAT TERRITORY. TRANSMITTED BY THE PRESIDENT, DEC. 23, 1805.

To the Senate and Houſe of Repreſentatives of the United States of America.

THE governour and preſiding judge of the territory of Michigan have made a report to me of the ſtate of that territory, ſeveral matters in which being within the reach of the legiſlative authority only, I lay the report before congreſs. TH: JEFFERSON.

December 23, 1805.

(COPY.)

Detroit, October 10, 1805.

THE governour of the territory of Michigan and the preſiding judge thereof, in compliance with the wiſhes of the government and the people of the territory, have the honour to make the following report relative to the affairs of the territory.

By the act of the congreſs of the United States eſtabliſhing the territory, the government thereof was to commence from and after the thirtieth day of June, one thouſand eight hundred five. The preſiding judge arrived at Detroit, the ſeat of the government, on Saturday the 29th day of June, and the governour on Monday the firſt day of July. The aſſociate judge, who was previouſly a reſident of the territory, was already there. On Tueſday the 2d July, the governour, in purſuance of the ordinance of congreſs, adminiſtered to the ſeveral officers their reſpective oaths of office, and on the ſame day the operations of the government commenced.

It was the unfortunate fate of the new government, to commence its operations in a ſcene of the deepeſt publick and private calamity. By the conflagration of Detroit, which took place on the morning of the 11th of June, all the buildings of that place, both publick and private, were entirely conſumed; and the moſt valuable part of the perſonal property of the inhabitants, was loſt. On the arrival of the new government, a part of the people were found encamped on the publick grounds, in the vicinity of the town, and the remainder were diſperſed through the neighbouring ſettlements of the country; both on the Britiſh and the American ſide of the boundary.

The place which bore the appellation of the *town of Detroit*, was a ſpot of about two acres of ground, completely covered with buildings, and combuſtible materials, the narrow intervals of fourteen or fifteen feet, uſed as ſtreets or lanes, only excepted; and the whole was environed with a very ſtrong and ſecure defence of tall and ſolid picquets. The circumjacent ground, the bank of the river alone excepted, was a wide common: and though aſſertions are made reſpecting the exiſtence, among the records of Quebec, of a charter from the king of France, confirming this common as an appurtenance to the town, it was either the property of the United States, or at leaſt ſuch as individual claims did not pretend to cover. The folly of attempting to

rebuild the town in the original mode was obvious to every mind ; yet there exiſted no authority, either in the country, or in the officers of the new government, to diſpoſe of the adjacent ground. Hence had already ariſen a ſtate of diſſention which urgently required the interpoſition of ſome authority to quiet. Some of the inhabitants, deſtitute of ſhelter, and hopeleſs of any prompt arrangements of government, had reoccupied their former ground, and a few buildings had already been erected in the midſt of the old ruins. Another portion of the inhabitants had determined to take poſſeſſion of the adjacent publick ground, and to throw themſelves on the liberality of the government of the United States, either to make them a donation of the ground as a compenſation for their ſufferings, or to accept of a very moderate price for it. If they could have made any arrangement of the various pretenſions of individuals, or could have agreed on any plan of a town, they would ſoon have begun to build. But the want of a civil authority to decide interfering claims, or to compel the refractory to ſubmit to the wiſhes of a majority, had yet prevented them from carrying any particular meaſure into execution. On the morning of Monday the firſt day of July, the inhabitants had aſſembled, for the purpoſe of reſolving on ſome definitive mode of procedure. The judges prevailed on them to defer their intentions for a ſhort time, giving them aſſurances that the governour of the territory would ſhortly arrive, and that every arrangement, in the power of their domeſtick government, would be made for their relief. On theſe repreſentations they conſented to defer their meaſures for one fortnight. In the evening of the ſame day the governour arrived : It was his firſt meaſure to prevent any encroachments from being made on the publick land. The ſituation of the diſtreſſed inhabitants then occupied the attention of the members of the government for two or three days. The reſult of theſe diſcuſſions was, to proceed to lay out a new town, embracing the whole of the old town, and the publick lands adjacent ; to ſtate to the people that nothing in the nature of a title could be given, under any authorities then poſſeſſed by the government ; and that they could not be juſtified in holding out any charitable donations whatever, as a compenſation for their ſufferings ; but that every perſonal exertion would be uſed to obtain a confirmation of the arrangements about to be made, and to obtain the liberal attention of the government of the United States to their diſtreſſes.

A town was accordingly ſurveyed and laid out, and the want of authority to impart any regular title, without the ſubſequent ſanction of congreſs, being firſt impreſſed, and clearly underſtood, the lots were expoſed to ſale under that reſervation. Where the purchaſer of a lot was a proprietor in the old town, he was at liberty to extinguiſh his former property in his new acquiſition, foot for foot, and was expected to pay only for the ſurplus, at the rate expreſſed in his bid. A conſiderable part of the inhabitants were only tenants in the old town, there being no means of acquiring any new titles. The ſale of courſe could not be confined merely to *former proprietors* but as far as poſſible, was confined to *former inhabitants*. After the ſale of a conſiderable part, by auction, the remainder was diſpoſed of by private contract, deducting from the previous ſales the baſis of the terms. As ſoon as the neceſſities of the immediate inhabitants were accommodated, the ſales were entirely ſtopped until the pleaſure of government could be conſulted. As no title could be made, or was pretended to be made, no payments were required, or any monies permitted to be received until the expiration of one year, to afford time for congreſs to interpoſe. The remaining part was ſtipulated to be paid in four ſucceſſive annual inſtalments. The higheſt ſum reſulting from the bids was ſeven cents, for a ſquare foot, and the whole averaged at leaſt four cents. In this way the inhabitants were fully ſatisfied to commence their buildings, and the interfering pretenſions of all individuals were eventually reconciled. The *validity* of any of the titles was not taken into view. The *poſſeſſion* under the titles, ſuch as they were, was alone regarded, and the validity of title

left to await the iſſue of ſuch meaſures as congreſs might adopt, relative to landed titles in the territory of Michigan *generally*. It therefore now remains for the congreſs of the United States either to refuſe a ſanction of the arrangement made, or by imparting a regular authority to make it, or in ſome other mode in their wiſdom deemed proper, to relieve the inhabitants from one of the moſt immediate diſtreſſes, occaſioned by the calamitous conflagration.

Strongly impreſſed with a ſenſe of the worth of the people, and deeply commiſerating their ſufferings, of a great part of which they were eye witneſſes, the officers of their local government cannot refrain from adding their warmeſt degree of recommendation to forward the liberality the congreſs of the United States will unqueſtionably be inclined to exerciſe towards them; and the diſpoſition which will doubtleſs prevail towards attaching their affections, promoting their intereſts, and relieving their diſtreſs. Whether a donation of the acquiſitions which have been ſtated, or of lands more remote, or the application of the proceeds to publick purpoſes within the country, will be moſt adviſable, the underſigned pretend not to ſay; but whatever relief may be extended to them on the part of the general government, they heſitate not to aſſert, will be of the moſt eſſential utility to them, and rendered to objects of real merit.

The organization of the courts of juſtice next demanded conſideration. A judicial ſyſtem was eſtabliſhed on principles of convenience, economy, and ſimplicity. Courts were held under it, and all the exiſting buſineſs ſettled. Every ſubject requiring to be legiſlated upon was acted on, as far as the government was competent to act. At the cloſe of the other arrangements, the militia of the territory were completely organized and brought into the field.

The various acts, both of a legiſlative and executive deſcription, will appear at large in the ſemiannual report of them, which the laws of the United States require, and it will therefore be unneceſſary to exhibit the details of them.

The grand juries conſtantly preſented addreſſes to the courts on the ſubject of their land titles. The ſeveral companies of militia, elected delegates to a general meeting, which, among other objects, addreſſed the government on the ſubject of their titles; and earneſtly requeſted the perſonal attendance of the governour and one of the judges, during a part of the ſeſſion of congreſs. Indeed the confuſed ſituation of land titles, during the nine or ten years the United States have had poſſeſſion of the country, has been ſuch, and is ſo increaſing by lapſe of time, as now loudly to call for a definitive adjuſtment.

It is now nearly a century and a half ſince the firſt ſettlements were made in this country, under the French government, and in the reign of Louis the fourteenth, whoſe name it then bore, in common with what has ſince excluſively been termed Louiſiana. In 1673, an officer, commiſſioned by the French government, explored the waters of the weſt; taking his departure from lake Michigan, he penetrated to the Ouiſconſin river, and afterwards to the Miſſiſſippi, and returned through the Illinois country, after having ſailed down the Miſſiſſippi within one degree of latitude of the ſouthern boundary of the United States, previous to the late treaty of Paris, of April, 1803, and that anteriour to the diſcovery of the mouth of the Miſſiſſippi by La Salle. Prior to this era the ſettlements of the ſtraight had commenced, and Detroit claims an antiquity of fifteen years ſuperiour to the city of Philadelphia. The few titles granted by the government of France were of three French acres in front, on the banks of the river, by forty in depth, ſubject to the feudal and ſeignoral conditions, which uſually accompained titles in France. The ancient French code called *la coutûme de Paris* was the eſtabliſhed law of the country; and the rights of land were made ſtrictly conformable to it. All theſe grants, however, required the grantee, in a limited period, to obtain a confirmation from the king; and, with the exception of a very few, this confirmation has never been made. On the conqueſt of the French poſſeſſions by Great-Britain, in the war which terminated by the treaty of Paris in the year 1763, as well in original articles of capitulation in 1759 and in 1760, as

in the ſubſequent treaty itſelf, the property of the inhabitants of the country is confined to them. The expreſſion in the original is, *leurs biens, nobles et ignobles, meubles et immeubles*. It is therefore conceived to comprehend theſe *lands*. On the acquiſition by the United States of America of that portion of Canada which is now comprehended within the limits of the territory of Michigan, by the definitive treaty of peace, at Paris, in 1783, the ſubjects of his Britannick majeſty are ſecured from loſs, or damage in perſon, liberty, or property, and in the treaty of London, negociated between Mr. Jay and lord Grenville, in November, 1794, they are ſtill more particularly confirmed in their property of every kind, land, houſes, or effects. However defective, therefore, the claſs of original proprietors may be, with reſpect to the *evidence* of title according to the American forms, it is conceived their *rights* are extremely ſtrong. The Britiſh government granted few titles, and theſe were generally mere permiſſions of military officers to uſe or occupy certain pieces of land, often unaccompanied with any written evidences, but aſſuming, from long continued poſſeſſion, an appearance of right. Under the American government no titles of any kind have been granted.

From this ſtate of things ſome conſequences have reſulted, which are not indeed difficult to foreſee, but which it is difficult to remedy. One of theſe conſequences, and perhaps not the leaſt important, is the effect it has had on the deſtiny and moral character of the progeny of the original coloniſts. When it is remembered, that the troops of Louis the fourteenth, came without women, the deſcription of perſons conſtituting the ſecond generation will not be difficult to conceive. When it is conſidered at the ſame time, that deſtitute of titles to land, they were precluded from the means of acquiring them, it will be obvious that an entrance into the ſavage ſocieties, or at moſt employments in the commerce carried on with them, were their only reſources. While, therefore, the American colonizations of the ſame, and of ſubſequent date, have grown into regular, agricultural, and opulent ſtates, theſe countries have been deſtined to anarchy, to ignorance, to poverty. The emigrant, whom curioſity, or enterpriſe, at any time brought into the country, was either attracted to the Britiſh ſide of it, or diſappeared in ſome mode leſs eaſy to account for. Acceſſion, by foreign population, and by natural increaſe, being thus, at once cut off, the fate of this fine region has neceſſarily been that inſignificance which ſtill belongs to it. The Britiſh government, in recent periods, have confirmed original proprietors, made a donation of a quantity equal to the original grant, termed a *continuation*; and have granted lands to ſettlers without any other price than common fees of office attending the acquiſition of the grant. Such, however, is the ineſtimable value of liberty to man, that notwithſtanding theſe, and, if poſſible, greater inducements to the ſettlers, the underſigned venture to predict a marked ſuperiority to the American ſide, even at the prices at preſent required by the American government, or a ſlight variation of them, if the old claims are at once adjuſted, and the country laid open to the acquiſition of new title.

From the ſtate of the country which has been repreſented, another conſequence has reſulted. Encroachments, in ſome inſtances, grafted on original title, and in others without a ſemblance of title, have been made on lands which are or ought to be, the property of the United States. Individuals have proceeded to extinguiſh the native right, contrary to the regulations of all the governments; and in ſome inſtances extenſive ſettlements have been made on titles thus acquired. What arrangements the United States will make on this head it belongs not to us to anticipate; we ſhall only recommend a liberal and merciful diſpoſition to the people of this country; of whom it may be ſafely aſſerted they are leſs to be charged with depravity of character, than their governments have been with cruel neglect and indifference.

The claims of the preſent inhabitants require to be conſidered under one more aſpect, novel indeed, but not the leſs founded in truth. When the Amer-

rican comes into contact with the aborignal, if he is not conſidered as an enemy, he is at leaſt regarded as a character with whom they are to ſtruggle, and, if in no other, certainly in a pecuniary view. But the Canadian, allied by blood, by long eſtabliſhed intercourſe, by a countleſs reciprocity of ſervices, their native claims having long, as to time, been extinguiſhed, and their honour and good faith having been repeatedly pledged for his protection, is uniformly regarded as their brother, and with him they are diſpoſed to make a common cauſe. Hence *juſtice*, and *liberal juſtice*, to the Canadian inhabitant is an important point of policy in the conduct of the American government towards the aboriginal inhabitants.

The extent of the Canadian extinguiſhment of Indian title, though in itſelf indefinite, appears firſt to have received limits in the treaty of fort Mac Intoſh, in 1785. We there firſt find a written dereliction of Indian claim for a breadth of ſix miles from La Riviere aux Raiſins, now called Roſine, on lake Erie, to the lake St. Clair. In the ſubſequent treaty of fort Harmar in 1789, the ſame dereliction is confirmed. In the ulterior treaty of Greenville, in 1795, the confirmation is repeated, and additions made.

The treaty with Great Britain, of 1783, and the ſubſequent one of 1794, were made for the accompliſhment of great national objects, having very little connection with Canadian and Indian claims. The treaties of fort Mac Intoſh, fort Harmar, and of Greenville, were all formed on other far more important points; and the quantity of extinguiſhed Indian title in Michigan recognized by them is leſs to be conſidered as *an acquiſition of new title*, than *a definition of the old*. The expenſe of theſe negociations therefore can ſcarcely be ſaid, in any ſenſe, to attach to this country; and perhaps it may be truly ſaid that all the Indian title at preſent extinguiſhed within the territory of Michigan has not coſt the United States a ſingle dollar; but is entirely a recognition of a previous, but indefinite title, extinguiſhed by the Canadians. Hence a queſtion will ariſe, whether it is more than *barely juſtice* to the inhabitants to allow them the whole of this part, or otherwiſe to permit the proceeds of it to be applied to their benefit, in the education of their youth, in the erection of publick buildings, ſuch as court houſes and jails, which the late conflagration has entirely deprived them of, and in laying out roads, and other improvements in their country. Next to the adjuſtment of the old titles comes the acquiſition of new. It is believed that at this period, and in a particular mode, a very large portion of Indian title may be ſhortly extinguiſhed; but as this part of the ſubject may hereafter be deemed confidential, it is made the ſubject of a diſtinct report.

On an occaſion like the preſent it may not be unadviſable to reviſe ſome of the regulations relative to the territory.

On all the ſubjects requiring legiſlation the preſent government act with difficulty, and on many cannot act at all. All laws will be found to operate on particular *places*, *times*, and *perſons*; and in no ſtate, which enters into the compoſition of the American union, will an abſtract code of principles be diſcovered free from a connection, and that a very cloſe one, with the *places*, *times*, and *perſons* affected by them. Hence the ſtrict *adoption* of any code, or even of any one law, becomes impoſſible. To make it applicable it muſt be adapted to the geography of the country, to its temporary circumſtances and exigencies, and to the particular character of the perſons over whom it is to operate. Hitherto it has been religiouſly the object to follow what has been deemed the ſubſtance of the law, whatever modifications the form of it was obliged to undergo. But different minds will not always correſpond in ſentiment on what is *ſubſtance*, and what is *form*; and in all the litigations which ariſe under laws, thoſe affecting the validity of the law itſelf are the moſt intricate and difficult. Hence, in a country whoſe adminiſtration ought to be marked with ſimplicity, intricacy, procraſtination, and uncertainty in affairs, reſult. To adopt laws from all the original ſtates, the laws of all the original

ſtates ought to be furniſhed; and waving the difficulty and expenſe of procuring them, what body of men, under the preſſure of immediate buſineſs, can acquire a complete acquaintance with them? The poſſeſſion of all the codes, if it were poſſible, and a complete aquaintance with their contents, would ſtill prove an abortive cure; for, in many very ſimple caſes, a ſtrict precedent will be ſearched for in vain. Is the object to eſtabliſh a ferry, to regulate the affairs of any diſtrict, to erect a court houſe, or to inſtitute a ſchool, however urgent the call, however obvious the means, it muſt often be abandoned for want of a precedent that will apply; and often when attempted, may be defeated, from the want of a ſtrict correſpondence between the law made and the precedent from which it profeſſes to be adopted? The real ſecurity for the prevalence of republican principles reſts not in a proviſion of this awkward kind; for even in the codes of the ſtates the diſciple of ariſtocracy may ſometimes find a weapon. It reſts in the general probability that the adminiſtrations of this deſcription will be conformable to the general adminiſtration. It reſts in the parental control of congreſs. Experience is the beſt teſt of the propriety or impropriety of a law, and if a law be made which gives diſſatisfaction, the natural reſort is to the authority firſt making for its correction, and when, from defect of power or of inclination, the evil is found irremediable by them, to ſuperiour authority.

The requiring a poſſeſſion of certain quantities of land in various officers is not only impracticable in the preſent inſtance; but the policy on which the proviſion may have originally been grounded has ceaſed to exiſt.

The ſouthern boundary of the territory is indefinite. Though in the preſent maps of the United States, a line of latitude through the ſouthern bend of lake Michigan appears to ſtrike lake Erie near the mouth of the Miami, yet in the maps of Arrowſmith and M'Kenſie, ſuch a line of latitude would not ſtrike lake Erie, but paſs entirely ſouth of it. The anxiety of the ſouthern ſettlers of the territory is great, not to be attached to the ſtate of Ohio, which would be incommodious to them, but to Michigan, which is ſo much more convenient. The weſtern end of lake Erie even from Sanduſky would feel this convenience.

The caſe of the Wiandot Indians deſerves the conſideration of government. They live in two towns, Maguaga and Brown's town, within the limits of the American title. To the treaty of fort Harmar a clauſe was annexed ſtipulating that they might remain unmoleſted. In the treaty of Greenville this proviſion is omitted. They conſtantly aſſert, and there are not wanting reputable citizens who join them in the aſſertion, that they were ſolemnly promiſed by general Wayne a continuance of the indulgence. It may therefore be worthy of ſerious conſideration, whether it may not be adviſable in the adjuſtment of titles to recogniſe their poſſeſſions, and inveſt them with the character of citizens.

(Signed) WILLIAM HULL, Governour of the Territory of Michigan.

(Signed) A. B. WOODWARD, Preſiding Judge of do.

DOCUMENTS AND PAPERS RELATIVE TO COMPLAINTS BY THE GOVERNMENT OF FRANCE, AGAINST THE COMMERCE CARRIED ON BY AMERICAN CITIZENS IN THE FRENCH ISLAND OF ST. DOMINGO.

To the Senate of the United States.

IN compliance with the requeſt of the ſenate, expreſſed in their reſolution of Dec. 27, I now lay before them ſuch documents and papers (there being

no other information in my poſſeſſion) as relate to complaints by the government of France, againſt the commerce carried on by the citizens of the United States to the French iſland of St. Domingo.

January 10*th*, 1806. TH. JEFFERSON.

From General TURREAU *to the Secretary of State.*

October 14, 1805.

THE underſigned miniſter plenipotentiary of his imperial and royal majeſty, to his excellency the preſident of the United States of America, has teſtified, in his converſation with the ſecretary of ſtate, his juſt diſcontent with the commercial relations, which many citizens of different ſtates of the union maintain with the rebels of every colour, who have momentarily withdrawn the colony of St. Domingo from the legal authority.

The principles injuriouſly affected by ſuch a commerce, or rather by ſuch a ſyſtem of robbery (brigandage) are ſo evident, ſo generally acknowledged, and adopted not only by all nations, who have a colonial ſyſtem to defend, but even by thoſe who have none: and moreover even by every wiſe people to whatſoever political aggregation they may belong; that the ſtateſman, if he has not loſt every idea of juſtice, of humanity, and of publick law, can no more conteſt their wiſdom, than their exiſtence. And certainly the underſigned, in finding himſelf called by his duty, as well as by his inclination, in the boſom of a friendly people, and near the reſpectable chief who directs its government; certainly the underſigned ought not to have expected that his firſt political relations would have for their object a complaint ſo ſerious, an infraction ſo manifeſt of law, the moſt ſacred, and the beſt obſerved by every nation under the dominion of civilization.

But it was not enough for ſome citizens of the United States to convey munitions of every kind to the rebels of St. Domingo, to that race of African ſlaves, the reproach, and the refuſe of nature; it was moreover neceſſary to inſure the ſucceſs of this ignoble and criminal traffick by the uſe of force. The veſſels deſtined to protect it are conſtructed, loaded, armed, in all the ports of the union, under the eyes of the American people, of its particular authority, and of the federal government itſelf; and this government which has taken for the baſis of its political career the moſt ſcrupulous equity, and the moſt impartial neutrality, does not forbid it.

Without doubt, and notwithſtanding the profound conſideration with which the miniſter plenipotentiary of the French empire is penetrated for the government of the union; he might enlarge ſtill farther upon the reflections ſuggeſted by ſuch a ſtate of things, a circumſtance ſo important, ſo unexpected. But it would be equally as afflicting for him to dwell upon it, to ſtate its conſequences, as it would be for the government to hear them.

The ſecretary of ſtate, who perfectly knows the juſtice of the principles, and the legitimacy of the rights referred to in this note, will be of opinion that neither are ſuſceptible of diſcuſſion; becauſe a principle univerſally aſſented to, a right generally eſtabliſhed, is never diſcuſſed, or at leaſt is diſcuſſed in vain. The only way open for the redreſs of theſe complaints is to put an end to the tolerance which produces them, and which daily aggravates theſe conſequences.

Moreover this note, founded upon facts not leſs evident than the principles which they infract, does not permit the underſigned to doubt that the government of the U. States will take the moſt prompt, as well as the moſt effectual prohibitory meaſures, in order to put an end to its cauſe; and he ſeizes with eagerneſs this occaſion of renewing to the ſecretary of ſtate, the aſſurance of his high conſideration. (Signed) TURREAU.

Faithfully tranſlated.

J. WAGNER, *Chief Clerk, Department State.*

General TURREAU, *Miniſter Plenipotentiary of his Imperial and Royal Majeſty, to Mr.* MADISON, *Secretary of State.*

Waſhington, 2d Jan. 1806.

SIR—Formal orders of my government oblige me to inſiſt upon the contents of my official note, of the 14th of October, relative to the commerce, which ſome inhabitants of the United States maintain with the rebels of St. Domingo.

Not receiving any anſwer to that note, I had room to hope, that the government of the union would take prompt and effectual meaſures to put an end to the cauſes which produced it; but your ſilence towards me, eſpecially in relation to St. Domingo, and that of your government towards congreſs, impoſes upon me the duty of recalling to your recollection the ſaid official note, and of renewing to you my complaints upon the tolerance given to an abuſe, as ſhocking, as contrary to the law of nations, as it is to the treaty of peace and friendſhip exiſting between France and the United States.

I will not return, ſir, to the different circumſtances which have attended the commerce with the revolted part of St. Domingo, to the ſcandalous publicity given to its ſhameful ſucceſs; to the rewards and encomiums proſtituted upon the crews of armed veſſels, whoſe deſtination is to protect the voyages, to carry munitions of every kind to the rebels, and thus to nouriſh rebellion and robbery.

You ought not to be ſurpriſed, ſir, that I call anew the attention of the American government to this ſubject.—His excellency Mr. Talleyrand has already teſtified his diſcontent to Gen. Armſtrong, your miniſter plenipotentiary at Paris; and you will be of opinion, that it is at length time to purſue formal meaſures againſt every adventure to the ports of St. Domingo occupied by the rebels. The ſyſtem of tolerance which produces this commerce, which ſuffers its being armed, which encourages by impunity its extenſion and its exceſs, cannot longer remain; and the emperour and king my maſter, expects from the dignity and the candour of the government of the union, that an end will be put to it promptly.

I add to this diſpatch a copy of the official note, which has already been tranſmitted to you. I earneſtly requeſt, that you acknowledge the receipt of both, and receive anew aſſurances of my high conſideration.

(Signed) TURREAU.

Faithfully tranſlated.

J. WAGNER, *Chief Clerk, Department of State.*

From Mr. TALLEYRAND *to Gen.* ARMSTRONG, *without date, but received in Gen. Armſtrong's letter to the Secretary of State, of* 10*th Aug.* 1805.

SIR—I have ſeveral times had the honour to call your attention to the commerce carried on from the ports of the United States to thoſe of St. Domingo occupied by the rebels. Theſe commercial communications would appear to be almoſt daily increaſed. In order to cover their true deſtination, the veſſels are cleared for the Weſt Indies, without a more particular deſignation of the place, and with the aid of theſe commiſſions, proviſions, arms, and other objects of ſupply, of which they ſtand in need, are carried to the rebels of St. Domingo.

Although theſe adventures may be no more than the reſult of private ſpeculations, the government of the United States is not the leſs engaged to put an end to them, by a conſequence of the obligations which bind together all the civilized powers, all thoſe who are in a ſtate of peace. No government can ſecond the ſpirit of revolt of the ſubjects of another power; and, as in this ſtate of things, it cannot maintain communications with them, it ought not to favour thoſe which its own ſubjects maintain.

It is impoſſible, that the government of the United States ſhould longer

ſhut its eyes upon the communications of their commerce with St. Domingo. The adventures for that iſland are making with a ſcandalous publicity. They are ſupported by armed veſſels; at their return, feaſts are given, in order to vaunt the ſucceſs of their ſpeculations; and the acknowledgment, even the eulogies of the government are ſo much relied upon, that it is at theſe feaſts, and in the midſt of an immenſe concourſe, where are found the firſt authorities of the country, that the principles of the government of Haiti are celebrated, and that vows are made for its duration.

I have the honour, ſir, to tranſmit to your excellency an extract of an American journal, in which are contained ſundry details of a feaſt, given in the port of New York, on board of a convoy which had arrived from St. Domingo.

The ninth toaſt, given to the government of Haiti, cannot fail to excite your indignation. It is not, after having covered every thing with blood and with ruins, that the rebels of St. Domingo ought to have found apologiſts in a nation, the friend of France.

But they do not ſtop at their firſt ſpeculations. The company of merchants, which gave a feaſt on the return of their adventure, is preparing a ſecond convoy, and propoſe to place it under the eſcort of ſeveral armed veſſels.

I have the honour, ſir, to give you this information, in order that you may be pleaſed to call the moſt ſerious attention of your government towards a ſeries of facts, which it becomes its dignity and candour no longer to permit. The federal government, cannot ſo far ſeparate itſelf from the inhabitants of the United States, as to permit to them acts and communications, which it thinks itſelf bound to interdict to itſelf; or, as to think that it can diſtinguiſh its own reponſibility from that of its ſubjects, when there is in queſtion an unparalleled revolt, whoſe circumſtances and whoſe horrible conſequences muſt alarm all nations, and who are all equally intereſted in ſeeing it ceaſe.

France ought to expect from the amity of the United States, and his majeſty charges me, ſir, to requeſt in his name, that they interdict every private adventure, which, under any pretext or deſignation whatſoever, may be deſtined to the ports of St. Domingo, occupied by the rebels.

Receive, General, the aſſurances of my high conſideration.

(Signed) CH. M. TALLEYRAND.

To his Excellency General Armſtrong,
Miniſter Plenipotentiary of the U. States.

Faithfully tranſlated.
J. WAGNER, *Chief Clerk, Department State.*

From Mr. TALLEYRAND *to General* ARMSTRONG.

Paris, 29th Thermidor, 13th year, (*16th Auguſt,* 1805.)

SIR—Since the letter I had the honour to write to you on the 2d Thermidor, concerning the armaments which were making in the ports of the United States, for the weſtern parts of St. Domingo, freſh information upon this point confirms every thing which had been received. The adventures to St. Domingo are publickly made; veſſels are armed for war to protect the convoys; and it is in virtue of contracts, entered into between Deſſalines and American merchants, that the latter ſend him ſupplies and munitions of war.

I add, ſir, to the letter I have the honour to write to you, a copy of a ſentence given at Halifax in the matter of a merchant of New-York, who had conveyed into the revolted part of St. Domingo, three cargoes of gun powder, and who was taken on his return by an Engliſh frigate.

If even in the Engliſh tribunal, where this prize was condemned, the whole iſland of St. Domingo was conſidered as a French colony, how can the fede-

ral government tolerate that the rebels of this colony ſhould continue to receive from America ſuccours againſt the parent country? It is impoſſible that that government ſhould be ignorant of the armaments making in its ports. Too much publicity is given to them, not to render it reaſonable, and it ought to perceive that it is contrary to every ſyſtem of peace and good friendſhip to ſuffer longer, in its ports, armaments evidently directed againſt France.

Without doubt the federal government would not wiſh, in order to favour certain private ſpeculations, to give new facilities to rebellion and robbery (brigandage); and tolerance of a commerce ſo ſcandalous would be unworthy of it. Neither your government nor his majeſty can be any longer indifferent to it; and as the ſerioufneſs of the facts, which occaſion this complaint, obliges his majeſty to conſider as good prize every thing which ſhall enter the port of St. Domingo, occupied by the rebels, and every thing coming out, he perſuades himſelf, that the government of the United States will take, on its part, againſt this commerce, at once illicit and contrary to all the principles of the law of nations, all the repreſſive and authoritative meaſures proper to put an end to it. This ſyſtem of impunity and tolerance* can no longer continue; and his majeſty is convinced, that your government will think it due from its frankneſs promptly to put an end to it.

Receive, ſir, the aſſurances of my high conſiderations.

(Signed) CH. M. TALLEYRAND.

To his Excellency General Armſtrong.

Faithfully tranſlated.

J. WAGNER, *Chief Clerk Department State.*

THE VIOLATION OF NEUTRAL RIGHTS, THE DEPREDATIONS ON THE COLONIAL TRADE, AND IMPRESSMENTS OF AMERICAN SEAMEN.

To the Senate and Houſe of Repreſentatives of the United States.

IN my meſſage to both Houſes of Congreſs, at the opening of their preſent ſeſſion, I ſubmitted to their attention, among other ſubjects, the oppreſſion of our commerce and navigation by the irregular practices of armed veſſels, publick and private, and by the introduction of new principles, derogatory of the rights of neutrals, and unacknowledged by the uſage of nations.

The memorials of ſeveral bodies of merchants of the United States are now communicated, and will develope theſe principles and practices, which are producing the moſt ruinous effects on our lawful commerce and navigation.

The right of a neutral to carry on commercial intercourſe with every part of the dominions of a belligerent, permitted by the laws of the country (with the exception of blockaded ports, and contraband of war) was believed to have been decided between Great-Britain and the United States, by the ſentence of their commiſſioners, mutually appointed to decide on that and other queſtions of difference between the two nations; and by the actual payment of the damages awarded by them againſt Great-Britain, for the infractions of that right. When, therefore, it was perceived that the ſame principle was revived, with others more novel, and extending the injury, inſtructions were given to the miniſter plenipotentiary of the United States at the court of London, and remonſtrances duly made by him on this ſubject, as will appear by documents tranſmitted herewith. Theſe were followed by a partial and temporary ſuſpenſion only, without any diſavowal of the principle. He has, therefore, been inſtructed to urge this ſubject anew, to bring it more fully to the bar of reaſon, and to inſiſt on rights too evident and too important to be ſurrendered. In the mean time, the evil is proceeding under adjudications

* *Ne pourroit durer d'advantage.*

founded on the principle which is denied. Under theſe circumſtances, the ſubject preſents itſelf for the conſideration of congreſs.

On the impreſſment of our ſeamen, our remonſtrances have never been intermitted. A hope exiſted at one moment, of an arrangement which might have been ſubmitted to; but it ſoon paſſed away; and the practice, though relaxed at times in the diſtant ſeas, has been couſtantly purſued in thoſe in our neighbourhood. The grounds on which the reclamations on this ſubject have been urged, will appear in an extract from inſtructions to our miniſter at London, now communicated.

TH: JEFFERSON.

January 17, 1806.

Extract of a letter from the Secretary of State to JAMES MONROE, *Eſq. dated Department of State, April* 12, 1806.

"THE papers herewith incloſed, explain particularly the caſe of the brig Aurora.

"The ſum of the caſe is, that whilſt Spain was at war with Great Britain, this veſſel, owned by a citizen of the United States, brought a cargo of Spaniſh produce, purchaſed at the Havana, from that place to Charleſton, where the cargo was landed, except an inſignificant portion of it, and the duties paid, or ſecured, according to law, in like manner as they are required to be paid, or ſecured, on a like cargo, from whatever port, meant for home conſumption; that the cargo remained on land about three weeks, when it was reſhipped for Barcelona, in old Spain, and the duties drawn back, with a deduction of three and a half per cent, as is permitted to imported articles in all caſes, at any time within one year, under certain regulations, which were purſued in this caſe; that the veſſel was taken on her voyage by a Britiſh cruiſer, and ſent for trial to Newfoundland, where the cargo was condemned by the court of vice admiralty; and that the cauſe was carried thence, by appeal, to Great Britain, where it was apprehended that the ſentence below would not be reverſed.

The ground of this ſentence was, and that of its confirmation, if ſuch be the reſult, muſt be, that the trade in which the veſſel was engaged was unlawful, and this unlawfulneſs muſt reſt, firſt, on the general principle aſſumed by Great Britain, that a trade from a colony to its parent country, being a trade not permitted to other nations in time of peace, cannot be made lawful to them in time of war; ſecondly, on the allegation that the continuity of the voyage from the Havana to Barcelona was not broken by landing the cargo in the United States, paying the duties thereon, and thus fulfilling the legal pre-requiſites to a home conſumption; and, therefore, that the cargo was ſubject to condemnation, even under the Britiſh regulation of January, 1798, which ſo far relaxes the general principle as to allow a direct trade between a belligerent colony, and a neutral country carrying on ſuch a trade.

With reſpect to the general principle which diſallows to neutral nations, in time of war, a trade not allowed to them in time of peace, it may be obſerved,

Firſt, That the principle is of modern date; that it is maintained, as is believed, by no other nation but Great Britain; and that it was aſſumed by her under the auſpices of a maritime aſcendency, which rendered ſuch a principle ſubſervient to her particular intereſt. The hiſtory of her regulations on this ſubject ſhews, that they have been conſtantly modified under the influence of that conſideration. The courſe of theſe modifications will be ſeen in an appendix to the fourth volume of Robinſon's Admiralty Reports.

Secondly, That the principle is manifeſtly contrary to the general intereſt of commercial nations, as well as to the law of nations ſettled by the moſt approved authorities, which recognizes no reſtraints on the trade of nations not at war, with nations at war, other than that it ſhall be impartial between the

latter, that it ſhall not extend to certain military articles, nor to the tranſportation of perſons in military ſervice, nor to places actually blockaded or beſieged.

Thirdly, That the principle is the more contrary to reaſon and to right, inaſmuch as the admiſſion of neutrals into a colonial trade, ſhut againſt them in time of peace, may, and often does, reſult from conſiderations which open to neutrals direct channels of trade with the parent ſtate, ſhut to them in times of peace, the legality of which latter relaxation is not known to have been conteſted ; and inaſmuch as a commerce may be, and frequently is, opened in time of war, between a colony and other countries, from conſiderations which are not incident to the war, and which would produce the ſame effect in a time of peace ; ſuch, for example, as a failure, or diminution of the ordinary ſources of neceſſary ſupplies, or new turns in the courſe of profitable interchanges.

Fourthly, That it is not only contrary to the principles and practice of other nations, but to the practice of Great-Britain herſelf. It is well known to be her invariable practice in time of war, by relaxations in her navigation laws, to admit neutrals to trade in channels forbidden to them in times of peace ; and particularly to open her colonial trade both to neutral veſſels and ſupplies, to which it is ſhut in times of peace ; and that one at leaſt of her objects in theſe relaxations, is to give to her trade an immunity from capture, to which in her own hands it would be ſubjected by the war.

Fifthly, The practice which has prevailed in the Britiſh dominions, ſanctioned by orders of council and an act of parliament, [39 G. 3. c. 98.] authorizing for Britiſh ſubjects a direct trade with the enemy, ſtill further diminiſhes the force of her pretenſions for depriving us of the colonial trade. Thus we ſee in Robinſon's Admiralty Reports paſſim, that during the laſt war a licenſed commercial intercourſe prevailed between Great-Britain and her enemies, France, Spain and Holland, becauſe it comprehended articles neceſſary for her manufactures and agriculture ; notwithſtanding the effect it had in opening a vent to the ſurplus productions of the others. In this manner ſhe aſſumes to ſuſpend the war itſelf, as to particular objects of trade beneficial to herſelf ; whilſt ſhe denies the right of the other belligerents to ſuſpend their accuſtomed commercial reſtrictions, in favour of neutrals. But the injuſtice and inconſiſtency of her attempt to preſs a ſtrict rule on neutrals, is more forcibly diſplayed by the nature of the trade which is openly carried on between the colonies of Great-Britain and Spain in the Weſt-Indies. The mode of it is detailed in the incloſed copy of a letter from , wherein it will be ſeen that the American veſſels and cargoes, after being condemned in Britiſh courts, under pretence of illicit commerce, are ſent, on Britiſh account, to the enemies of Great-Britain, if not to the very port of the deſtination interrupted when they were American property. What reſpect can be claimed from others to a doctrine not only of ſo recent an origin, and enforced with ſo little uniformity, but which is ſo conſpicuouſly diſregarded in practice by the nation itſelf, which ſtands alone in contending for it ?

Sixthly, It is particularly worthy of attention, that the board of commiſſioners jointly conſtituted by the Britiſh and American governments, under the 7th article of the treaty of 1794, by reverſing condemnations of the Britiſh courts founded on the Britiſh inſtructions of November, 1793, condemned the principle, that a trade forbidden to neutrals in time of peace, could not be opened to them in time of war ; on which preciſe principle theſe inſtructions were founded. And as the reverſal could be juſtified by no other authority than the law of nations, by which they were guided, the law of nations, according to that joint tribunal, condemns the principle here combatted. Whether the Britiſh commiſſioners concurred in theſe reverſals, does not appear : but whether they did or did not, the deciſion was equally binding ; and affords a precedent which could not be diſreſpected by a like ſucceeding tribunal, and ought not to be without great weight with both nations, in like queſtions recurring between them.

On theſe grounds, the United States may juſtly regard the Britiſh captures and condemnations of neutral trade with colonies of the enemies of Great Britain, as violations of right; and if reaſon, conſiſtency, or that ſound policy which cannot be at variance with either, be allowed the weight which they ought to have, the Britiſh government will feel ſufficient motives to repair the wrongs done in ſuch caſes by its cruizers and courts.

But, apart from this general view of the ſubject, a refuſal to indemnify the ſufferers, in the particular caſe of the Aurora, is deſtitute of every pretext; becauſe, in the ſecond place, the continuity of her voyage was clearly and palpably broken, and the trade converted into a new character.

It has been already noted that the Britiſh regulation of 1798, admits a direct trade in time of war, between a belligerent colony and a neutral country carrying on the trade; and admits conſequently the legality of the importation by the Aurora, from the Havana to Charleſton. Nor has it ever been pretended that a neutral nation has not a right to re-export to any belligerent country whatever foreign productions, not contraband of war, which may have been duly incorporated and naturalized, as a part of the commercial ſtock of the country re-exporting it.

The queſtion then to be decided under the Britiſh regulation itſelf, is, whether in landing the cargo, paying the duties, and thus as effectually qualifying the articles for the legal conſumption of the country, as if they had been its native productions, they were not at the ſame time equally qualified with native productions, for exportation to a foreign market. That ſuch ought to be the deciſion, reſults irreſiſtibly from the following conſiderations:

1. From the reſpect which is due to the internal regulations of every country, where they cannot be charged with a temporizing partiality towards particular belligerent parties, or with fraudulent views towards all of them. The regulations of the United States, on this ſubject, muſt be free from every poſſible imputation; being not only fair in their appearance, but juſt in their principles, and having continued the ſame during the periods of war, as they were in thoſe of peace. It may be added, that they probably correſpond, in every eſſential feature relating to re-exportations, with the laws of other commercial countries, and particularly with thoſe of Great-Britain. The annexed outline of them, by the ſecretary of the treaſury, will at once explain their character, and ſhow that, in the caſe of the Aurora, every legal requiſite was duly complied with.

2. From the impoſſibility of ſubſtituting any other admiſſible criterion, than that of landing the articles, and otherwiſe qualifying them for the uſe of the country. If this regular and cuſtomary proceeding, be not a barrier againſt further inquiries, where, it may be aſked, are the inquiries to ſtop? By what evidence are particular articles to be identified on the high ſeas, or before a foreign tribunal? If identified, how is it to be aſcertained whether they were imported with a view to the market at home, or to a foreign market, or, as ought always to be preſumed, to the one or the other, as it ſhould happen to invite? or if to a foreign market, whether to one forbidden or permitted by the Britiſh regulations? for it is to be recollected that among the modifications which her policy has given to the general principle aſſerted by her, a direct trade is permitted to a neutral carrier from a belligerent colony, to her ports, as well as to thoſe of his own country. If, again, the landing of the goods and the payment of the duties be not ſufficient to break the continuity of the voyage, what, it may be aſked, is the degree of internal change or alienation which will have that effect? May not a claim be ſet up to trace the articles from hand to hand, from ſhip to ſhip, in the ſame port, and even from one port to another port, as long as they remain in the country? In a word, in departing from the ſimple criterion provided by the country itſelf, for its own legitimate and permanent objects, it is obvious, that beſides the defalcations which might be committed on our carrying trade, pretexts will be given to cruiſers for endleſs vexations on our commerce at large, and

that a latitude and delays will accrue in the diſtant proceedings of admiralty courts, ſtill more ruinous and intolerable.

3. From the deciſion in the Britiſh high court of admiralty itſelf, given in the caſe of the Polly, Laſky, maſter, by a judge deſervedly celebrated for a profound judgment, which cannot be ſuſpected of leaning towards doctrines unjuſt or injurious to the rights of his own country. On that occaſion he expreſsly declares; "It is not my buſineſs to ſay what is univerſally the teſt of a bona fide importation: it is argued that it would be ſufficient that the duties ſhould be paid, and that the cargo ſhould be landed. If theſe criteria are not to be reſorted to, I ſhould be at a loſs to know what ſhould be the teſt; and I am ſtrongly diſpoſed to hold, that it would be ſufficient that the goods ſhould be landed and the duties paid." 2 Rob. Reports, p. 368—9.

The preſident has thought it proper that you ſhould be furniſhed with ſuch a view of the ſubject as is here ſketched; that you may make the uſe of it beſt ſuited to the occaſion. If the trial of the Aurora ſhould not be over, it is queſtionable whether the government will interfere with its courts. Should the trial be over, and the ſentence of the vice admiralty court at St. John's have been confirmed, you are to loſe no time in preſenting to the Britiſh government a repreſentation correſponding with the ſcope of theſe obſervations; and in urging that redreſs in the caſe, which is equally due to private juſtice, to the reaſonable expectations of the United States, and to that confidence and harmony, which ought to be cheriſhed between the two nations."

LETTER FROM MR. GORE TO MR. MADISON.

Boſton, November 18, 1805.

SIR—THE ſhip Indus, David Myrick, maſter, was taken by his Britannick majeſty's ſhip the Cambrian, captain John P. Beresford, in latitude 31. 30. north, and longitude 61. 56. weſt, and ſent to Halifax, where ſhe, and all the property on board, belonging to the owners, maſter, and ſupercargo, were condemned, on the ground, as is ſaid, of the illegality of the trade which ſhe was proſecuting at the time of the capture. An appeal has been claimed, and will be duly proſecuted, before the lords commiſſioners of appeal, in Great Britain, by the inſurers, to whom the ſaid ſhip and cargo have been abandoned. Theſe inſurers conſiſt of four companies, in the town of Boſton, incorporated under the names of the Maſſachuſetts Fire and Marine Inſurance, the Suffolk Inſurance, the Boſton Marine Inſurance, and the New England Inſurance, who are not only intereſted in the above deciſion, as it relates to the particular caſe in which it was rendered, but are deeply concerned on account of inſurances made by them on veſſels and cargoes that may be embraced, as they fear, by rules and principles ſaid to have been adopted in the caſe of the Indus. Theſe fears derive but too much weight from deciſions that have taken place in London, condemning property for being in a commerce always by them underſtood to be lawful, not only from their own ſenſe of the law of nations, but alſo from the aſſent of Great Britain, diſcovered by her former practice, and by principles advanced by her judges in ſupport of ſuch decrees.

The amount of property withheld, and ultimately depending on the deciſions of the high court of appeals, in the caſe of the Indus, is ſufficient, of itſelf, to demand their ſerious attention; but when combined with the effect of principles, ſuppoſed to have been applied in this inſtance, they are apprehenſive of further and ſtill greater injuries to their own property, and that of their fellow citizens, in this quarter of the country; and theſe loſſes, ſhould they be realized, would be encountered in the proſecution of a trade, in which they felt themſelves as unoffending againſt the rights of others...as

ſecure from the interruption of the power that now moleſts them, as in coaſting voyages between different parts of the United States.

They hope, therefore, not to be thought intruſive in aſking of the government its interference, through their miniſter at the court of London, or otherwiſe, as the preſident, in his wiſdom, may judge proper, to protect their commercial rights, and to obtain redreſs of the particular injury of which they complain. They have even felt it a duty, due from them to the government of their country, to apprize thoſe entruſted with the adminiſtration of its concerns, of events, ſo injurious in themſelves, and pregnant with conſequences ſo momentous to their individual property and the general proſperity of the country. Such reflections have influenced theſe ſeveral companies to requeſt me to preſent you a ſtatement of the caſe of the Indus, for the inſpection of the government, and the purpoſes above alluded to ; and alſo to ſubjoin ſome of the reaſons which have occaſioned the ſecurity with which they have hazarded their property on voyages now pretended to be unlawful.

In the ſummer of 1804, Meſſrs. David Sears and Jonathan Chapman, native citizens of the United States, and reſidents in Boſton, owned a ſhip called the Indus,which they fitted out for a voyage to India. They put on board her 63,640 dollars and three ſets of exchange, drawn by themſelves on Meſſrs. John Hodſhon and ſon, of Amſterdam, at ninety days ſight, for twenty-five thouſand three hundred guilders, which amount of ſpecie and bills they confided to Abiſhai Barnard, a native citizen of the United States, and ſupercargo. This ſhip and property, altogether owned by themſelves, they diſpatched with orders to go to the iſles of France and Bourbon, and, if able, to purchaſe a cargo there, ſo to inveſt the ſpecie and bills ; if not, to proceed to Batavia, for the ſame purpoſe ; if not practicable there, to go on to Calcutta, and obtain a cargo ; with which cargo, whenever procured, the ſaid ſhip was directed to return to Boſton, unleſs, before the veſſel ſhould quit the iſle of France, or Batavia, a peace ſhould take place in Europe, in which event, ſhe was ordered to proceed to Falmouth in England, and conform herſelf to the orders of her owners' correſpondents in London. All the papers on board ſhewed theſe facts ; and ſuch, and ſuch only, was the property and deſtination of the veſſel and her lading. In a memorandum relating to the purchaſe of the cargo, given to the ſupercargo, he was reminded not to forget to inſert in the manifeſt, after the arrival of the veſſel in the tide waters of Boſton, the words "and Embden," viz. from the iſle of France, or Batavia, to Boſton "and Embden," as this would not deprive the owners of the privilege of unloading wholly in Boſton. The object of this requeſt was, in caſe of peace, to avoid an expenſe and inconvenience which Mr. Sears, the principal owner of this ſhip and cargo, ſuffered at the laſt peace, viz. the unloading of the entire cargo of a veſſel called the Arab, from India, in the port of Boſton, which, under the then exiſting circumſtances, viz. a ſtate of peace, he inclined to ſend immediately to Europe, but which he would not have contemplated, had not peace have taken place, and which he did not anticipate when the veſſel ſailed from Boſton, as he did not foreſee a termination of the war ; ſuch being the conſtruction put, by the collector of the port of Boſton and Charleſtown, on the laws in force, when the veſſel referred to arrived, and when the Indus ſailed in 1804. The expenſe of unloading and reloading this veſſel would have amounted to ſeveral thouſand dollars : and in caſe of the law being at her arrival as when ſhe ſailed, and of a peace in Europe, and the owners ſending her there, (in which event alone did they ever entertain the leaſt intention of not cloſing the voyage in America) this expenſe might have been ſaved.

With this property, and under theſe inſtructions, the Indus proceeded on her voyage to the iſle of France ; not being able to procure a cargo there, ſhe went to Batavia, where ſhe loaded with the proceeds of her ſpecie, and one ſet of her bills. In the proſecution of her voyage from Batavia to Boſ-

ton, the ſhip was ſo damaged by ſtorms, that ſhe was obliged to put into the iſle of France, where the veſſel was condemned as no longer ſea-worthy; the cargo was taken out; a new veſſel purchaſed by the ſupercargo, which he named the Indus, and ſuch of the articles as were on board the former Indus, and not damaged, were reſhipped in the new Indus; theſe articles, together with ſome tea, taken on freight for certain citizens of Boſton, there to be landed, compoſed her entire cargo. With this property ſhe was within a few days ſail of her deſtined port of Boſton, in the latitude and longitude aforeſaid, when ſhe was captured by the Cambrian, ſent to Halifax and condemned, as before mentioned.

The aſſumed ground of condemnation was, as the underwriters are informed, that the direction to inſert the words "and Embden" after the arrival of the veſſel in the port of Boſton, diſcloſed an intention in the owners to continue the voyage to Europe, whereas the only object was to reſerve to themſelves the right to obviate any objection, from the cuſtom houſe here, to her proceeding thither, in the event of a peace between the preſent belligerents.

This is manifeſt from the teſtimony of the owners, and is confirmed by their inſtructions to the conductors of this voyage, as to its deſtination, in caſe of a peace before they quitted India. On this contingency only were they to proceed otherwiſe than to Boſton. The reaſon which Mr. Sears directed the words "and Embden" to be inſerted, is obvious from what he ſuffered in the caſe of the Arab, as related by himſelf and the collector of the cuſtoms; and that it was only in the event of peace, that he contemplated ſending to Europe the veſſel and cargo to which his memorandum referred, is confirmed by his former practice and courſe of trade, viz. during the laſt ten years he has been engaged in voyages to India, and likewiſe in ſhipping the produce of the Eaſt and Weſt Indies to Europe, and in no caſe, during the exiſtence of war, has he ſent to Europe, articles imported by himſelf, in the ſame veſſel in which they were brought from India. Further, in the caſe of the ſhip Lydia, which arrived from India at Boſton, in the ſummer of 1804, and on board which veſſel there was the like inſtruction as in the Indus, which inſtruction was complied with by the maſter, yet, as the war continued, on her arrival at Boſton, he ſold the whole cargo to a merchant of this town; and alſo that of the Indus, in the voyage preceding the one in which ſhe was loſt, wherein the like precaution was alſo taken, and for the like purpoſe, but as it was war when ſhe arrived, the voyage terminated here. Thus, ſir, in this caſe there exiſts the moſt plenary evidence, that the voyage which the Indus was performing, when captured, was direct from Batavia to Boſton, there to terminate. A trade perfectly legal, not only in the underſtanding of the owners, but ſo acknowledged, admitted, and declared by Great Britain, in her practice, for ten years paſt, in her inſtructions to her cruiſers, in the decrees of her courts, and in the rules and principles advanced by her judges in promulgating their decrees.

The principle underſtood to be aſſumed by Great Britain is, that in time of war a trade, carried on between two independent nations, one neutral and the other belligerent, is unlawful in the neutral, if the ſame trade was not allowed and practiſed in time of peace. This principle, though aſſumed by Great Britain, is now, and always has been, reſiſted as unſound, by every other nation. She always aſſumes as a fact, that the trade with a colony has always been confined excluſively to ſhips of the parent country. In virtue, therefore, of this aſſumption of principle and fact, ſhe deems unlawful and derogatory to her rights, the trade of a neutral with the colonies of her enemies. However, in the laſt war ſhe ſo far modified her principle, as to aſſent to the lawfulneſs of the voyage of a neutral, if direct between the ports of the neutral and the colony of the enemy; and alſo a trade in ſuch colonial articles, from the country of the neutral to any other country, even to the parent country of ſuch colony, provided ſuch articles were imported, bona fide, for the uſe of the neutral, and there purchaſed, or afterwards ſhipped by himſelf; and

alſo in articles the produce of the parent kingdom, from the neutral ſtate to the colony of that metropolitan kingdom, provided the exporting and importing were, bona fide, as in the other caſe. But this modification ſhe always affected to conſider as relaxation of her ſtrict rights, and from this conſideration aſſumed greater authorities to interfere with the permitted trade, as ſhe would ſay, of neutrals.

The underwriters have therefore thought it important to examine how far the doctrine is ſanctioned by the law of nations, and the grounds, on which it is ſuppoſed to reſt, are conformed to, or contravened, by the practice of the belligerents themſelves.

This principle was firſt brought forward in the war of 1756, and was then attempted to be ſupported on the doctrines advanced by Bynkerſhoop. You, ſir, to whom the writings of this eminent civilian are doubtleſs familiar, muſt be aware that the rule laid down by him, is brought forward to a very different purpoſe, and from the manner in which he treats on the rights of neutrals, and the hiſtorical fact quoted from Livy, to illuſtrate and ſanction the principle aſſerted, ſhows that it can by no means warrant the proceedings which it has been attempted to juſtify ; and that there is no analogy between the caſe cited and that of the mere peaceable trade of a neutral with a belligerent, in articles not contraband of war, nor to places under blockade.

His general poſition is,that whatever nations had the power and faculty to do in time peace, they have the right to do in time of war ; except that they have not a right to carry to either of two enemies articles contraband of war,or to trade to blockaded places,becauſe this would be to intermeddle in the war.

The author before cited is the principal, if not the only one,whoſe opinions are adduced, as capable of affording ſupport, or in any way bearing upon this doctrine. An authority, however, to interrupt the trade of a neutral in war, which he was not free to carry on in peace, is aſſumed as a legitimate conſequence of his acknowledged rights. The law of nations not only preſcribes rules for the conduct, and ſupports the rights of nations at war, but alſo contains regulations and principles by which the rights of ſuch as remain at peace are protected and defined.

The intercourſe between independent nations muſt excluſively reſt on the laws which ſuch nations may chooſe to eſtabliſh. This is a natural conſequence of the equality and independence of nations. Each may make ſuch commercial and other internal regulations as it thinks proper. It may open its whole trade to all foreign nations, or admit them only to a part ; it may indulge one nation in ſuch a commerce and not others ; it may admit them at one time and refuſe them at another ; it may reſtrict its trade to certain parts of its dominions and refuſe the entrance of ſtrangers into others. In this reſpect it has a right to conſult only its own convenience, and whatever it ſhall chooſe to admit to others,may be enjoyed by them without conſulting a third power. Great Britain acts upon this principle : at one time ſhe executes her navigation law with ſtrictneſs ; at other times ſhe relaxes moſt of its regulations, according to the eſtimate ſhe forms of advantage or diſadvantage to be derived from its execution or relaxation : neither does ſhe allow the competence of any foreign power to call in queſtion her right ſo to do. In time of peace ſhe compels a ſtrict adherence to the principles and letter of her navigation act ; in time of war ſhe ſuſpends moſt of its proviſions, and to this ſhe is doubtleſs induced by paramount intereſt of manning her navy ; whereby ſhe is enabled to employ a much greater number of ſeamen in her own defence,and to deſtroy the commerce of her foes.

In conſequence of a ſuperiority derived, in ſome degree,from this relaxation, England is rendered an entrepot for receiving and ſupplying all the products of the world ; and after reaping a conſiderable revenue from the merchandiſe thus introduced, ſhe furniſhes not only the continent of Europe generally, but her own enemy with ſuch articles as are wanted, many of which ſhe prevents his receiving in the ordinary courſe.

*Polly, Laſky. Robinſon's Admiralty Reports, p. 361. Emmanuel Robinſon, p. 186, particularly 203.

The other nations of Europe, poſſeſſing foreign colonies, and influenced by motives of convenience, certainly not by conſiderations of a higher nature than actuate Great Britain, find their advantage in a ſimilar change of their commercial ſyſtems.

The mere circumſtance, that the innocent property of a neutral is engaged in a trade permitted now, though prohibited at a former period, is in itſelf perfectly innocent, and does not ſeem capable of interfering with the rights or juſtifying the complaints of a third power.

The ordinary policy of a nation may be to encourage the manufacture or growth of a certain article within its own dominions, and for this end may prohibit or reſtrict the importation of the like articles from other countries. Does the repeal or ſuſpenſion of ſuch reſtriction confer any right to impede the tranſportation, by a third, of the article, the prohibition whereof is ſuſpended? Becauſe the corn laws of a nation operate three years in five, as a prohibition to the importation of all corn, can it be inferred that a friendly power ſhould abſtain from carrying its ſurplus corn to market? Has any belligerent a right to ſtop the corn owned by neutral merchants, on the way to its enemy, whoſe crops have failed and prohibitory laws have been repealed? The ſimple ſtate of the caſe, that the trade, though illegal in peace, is legal in war, decides the queſtion.

Recourſe is therefore had to another principle, in order to render that unlawful, which, on every ground of the equality and independence of nations, is lawful.

The belligerent has a right to diſtreſs the perſon and property of his enemy and thereby compel a ſubmiſſion to his demand, and for this purpoſe, he may uſe all the means in his power.

By interrupting the trade of neutrals, which is opened to them in war, and was prohibited in peace, the belligerent diſtreſſes his enemy, leſſens his revenue, prevents the exerciſe of his commercial capital and the employment of his merchants, and deprives him of the enjoyment of thoſe articles, which adminiſter to his comfort and convenience; therefore ſuch interruption is lawful.

An obvious anſwer to this reaſoning is, that it proves too much, is founded on a principle ſo comprehenſive as to embrace all trade between neutrals and a nation at war. If it diſtreſs a nation to interrupt that commerce, which has become lawful ſince the war, it would diſtreſs him much more to cut off all trade; that which was allowed in time of peace, as well as that which was not; and the ſame reaſon which is uſed to authorize an interruption of the one, would as well juſtify the other. Indeed, we have ſeveral times ſeen the like doctrine extended this length in the heat of conteſt; but no inſtance has occurred of an attempt to vindicate it in time of peace: for the legality of a trade in innocent articles, to a place not blockaded, and the right of the neutral to carry it on, depends entirely on the laws of the two countries, between which, and by whoſe inhabitants it is proſecuted, and in no degree on the conſent of the belligerent. If this argument of diſtreſs, combined with that of an unaccuſtomed trade, ſhould be admitted in all its latitude, no trade with belligerents would be legal to neutrals. The enemies of Great Britain would be diſpoſed to attribute much weight to a conſideration of the peculiar advantages, which a power conſtituted as her's may be ſuppoſed to derive, and ſuch evils as ſhe may be preſumed to prevent, by the relaxation of her commercial ſyſtem. A continental power may derive ſome accommodation, and ſome convenience from relaxing her commercial reſtrictions; but nothing eſſential to her ſafety, nothing, as was demonſtrated in the laſt war, materially affecting the great objects of the conteſt. She might obtain the articles of Eaſt and Weſt India produce a little cheaper by theſe means than if compelled to procure them by her own ſhips, or through the medium of her enemy; for it is a circumſtance which very much impairs the argument of diſtreſſing the foe, that in modern wars it is the practice of commercial nations, notwith-

ſtanding they reſpectively capture each other's property, to open their ports for the exchange of their merchandize, by the aſſiſtance of neutrals, and in this way afford the ſuccour they mutually need. It will, however, be ſaid that it is not the trade between neutral countries and the metropolitan dominions of Europe which is deemed illegal, but the trade of neutrals with their colonies. It is not eaſy to perceive the grounds on which this diſtinction reſts, but without complaining of an exceptionable rule, becauſe the practice under it is not as extenſive as its principle might be ſuppoſed to warrant, it may be examined in the caſe to which it is applied.

The argument of diſtreſſing the enemy is adduced to vindicate the interruption of the trade of neutrals with enemies' colonies. This diſtreſs can be inflicted in two ways; by depriving the colony of the neceſſary ſupplies, or the parent country of the colony productions. To ſupply the enemies' colonies is not conſidered legal, provided it be done from the neutral country; and alſo to furniſh the parent country with the produce of the colony, provided it be done from the neutral country. The argument, therefore, of diſtreſs is narrowed down to a mere trifle; to the addition of a fraction in the price of the article ſupplied to the parent country: for, ſo far as reſpects the ſupply of the colony and the finding a market for its produce, and the arguments flowing from thence, theſe, ſurely the moſt plauſible on the ſcore of inflicting diſtreſs, are utterly abandoned. But further, the ſame commercial ſpirit which has been before noticed, leads the great nations of Europe themſelves to contribute to thoſe very ſupplies, the depriving the enemy whereof is alleged as a juſtification for interrupting the trade of neutrals. Not only a trade in Europe, but a regular and authorized trade, to the extent of every neceſſary and almoſt every other ſupply, was carried on during the laſt war between the Britiſh and Spaniſh colonies: and inſtances have again and again occurred, and before the cloſe of the late war, ceaſed to be conſidered as extraordiuary, where the cargoes of neutral veſſels bound to the Spaniſh colonies were ſeized by the Britiſh, and condemned in the vice-admiralty courts, on pretence that the trade was illegal; and the articles thus ſtopped and made prize of, under the plea of diſtreſſing the enemy, were ſhipped on board a Spaniſh or Britiſh veſſel, ſupplied with a Britiſh licenſe, and ſent to the original port of their deſtination. Surely, ſuch a mode of diſtreſſing the enemy may be more properly denominated diſtreſſing the neutral, for the purpoſe of ſupplying the enemy at the excluſive profit of the belligerent.

Such, ſir, are ſome of the obſervations which theſe gentlemen make on the difference between the practice and avowed principles of belligerents, and the unavoidable conſequences of ſuch principles, and which ſatisfy their minds that, according to the practice of belligerents themſelves, there is no foundation for the arguments raiſed on pretence of diſtreſſing the enemy, and that interrupting a trade in war, becauſe not exerciſed in peace, is inconſiſtent with the equality and independence of nations, and an infringement of their perfect rights. It is alſo evident that the wants and intereſts of all nations at war, even of thoſe who poſſeſs the moſt powerful commercial and military navy, require them to contradict in their own practice thoſe principles which are avowed in juſtification of the injuries they inflict on neutrals.

To ſupport this doctrine it is alſo neceſſary to aſſume as true, that all trade and intercourſe between the colonies of the different European powers, and other countries, have been conſtantly and uniformly interdicted in time of peace, and that ſuch colonies depended excluſively on the metropolitan kingdom for ſupplies of every kind. That nothing could be received by or from them, but through the mother country; except when the overpowering force of the publick enemy had prevented all ſuch communication. This ſuppoſed excluſive trade ſo confidently aſſumed, will, on examination, be found ſubject to many exceptions. It is well known that ſome of the Britiſh Weſt India colonies, during the commotions, which exiſted in England, in conſequence of the diſagreement between Charles the firſt, and his parliament, exported

their produce to Europe by Dutch ſhips, manned with Dutch ſeamen, and that the navigation act originated in the double view of puniſhing ſome of theſe colonies, who had diſcovered an attachment to the cauſe of defeated royalty, and of curtailing the means enjoyed by the Dutch, of increaſing their wealth, influence, and power. An intercourſe has always been admitted; at ſome times very reſtrained; at others more extended, as ſuited the caprice of the governours, or as the neceſſity of the colonies required.

Until a period ſubſequent to the treaty of Utrecht, France ſeems to have paid no attention to her Weſt India colonies. Previous to that time, they do not appear to have enjoyed any conſtant correſpondence, or direct intercourſe with the mother country; and at all times, as well before, as ſince the independence of the continental colonies of Great Britain, a direct trade has exiſted between the colonies of France and thoſe of Great Britain in the Weſt Indies, and alſo with the ſettlements on the continent of North America, more or leſs limited, as real or pretended convenience demanded.

Great Britain, prior to the independence of the United States, had leſs occaſion to admit the entry of veſſels and merchandize from, or the export of the produce of her colonies to, any other than her own dominions; yet, inſtances are not wanting of the relaxation of her navigation act, for both purpoſes; and in the year 1739, a bill paſſed the parliament, allowing the ſugar colonies, for a limited time, to export their produce to foreign ports. In fact, colonies depending on other countries for their ſupplies, and at a diſtance from their parent country, muſt, at times, admit the intercourſe of foreigners, or ſuffer the greateſt impoveriſhment and diſtreſs. It will not be denied, that the Britiſh provinces in the Weſt Indies depend, in a great meaſure, if not altogether, on the United States for their corn. True it is, that the ſhipment is generally made in Britiſh veſſels; but ſhould the United States deem it for their intereſt, to inſiſt on its being tranſported thither in American ſhips, it is not certain that the convenience, not to ſay the neceſſities of the colonies, would not render an acquieſcence adviſable. The fact is, in regard to the colonies in the Weſt Indies, whether belonging to France or Great Britain, that the monopoly has not been, and in the nature of things never can be, very ſtrict, conſtant, and excluſive. The United States always have enjoyed, and without hazarding much one may pronounce with confidence, that they always muſt enjoy, a direct intercourſe with their colonies, however adverſe to the diſpoſitions or ſuppoſed intereſt of the parent countries in Europe. Thus ſtands the fact of an accuſtomed trade, in time of peace, as relates to the Weſt Indies. In regard to the Eaſt Indies, it is certain that the veſſels of the United States have always gone freely to the Britiſh ſettlements there, and it is believed, that the veſſels of our country were the firſt to export ſugars from Bengal, and that their exportations have augmented immenſely the culture of that article in that country. To many of the Dutch ſettlements our veſſels have gone with but little interruption; and to ſome of theſe, and to the French poſſeſſions, more eſpecially to the iſles of France and Bourbon, the trade of the United States has been conſtant, uninterrupted, and increaſing, ever ſince the year 1784. It is difficult then, ſir, for theſe gentlemen to conceive how the doctrine or the fact, aſſumed by Great Britain, can be ſupported by the law of nations, or reconciled to the truth.

Moreover, Great Britain profeſſes, that the deciſions of her admiralty courts are always regulated by the law of nations; that they do not bend to particular circumſtances, nor are guided by the orders or inſtructions of the government. The principles of this law are immutable; being founded on truth and juſtice, they are ever the ſame. Now it appears from the practice of Great Britain herſelf, that in the war of 1744, and in that which was concluded in 1783, whether the trade was an accuſtomed one in time of peace, made no part of the diſcuſſion, nor was it pretended, that the trade not having been proſecuted in peace, ſubjected the veſſel or cargo to forfeiture, in

war. It ſeems more like the offspring of her pre-eminent power on the ocean, in the two wars of 1756, and that which lately ended, than the legitimate doctrine of right and juſtice. In the war of 1756, Dutch veſſels by ſpecial licenſe from France, were permitted to export the produce of the French colonies. Theſe were captured and condemned, on the ground, that by adoption they had become French veſſels. Afterwards the property was carried to Monte Chriſti, and exported thence in Dutch veſſels. Particular trades, and ſpecial privileges were alſo allowed by France, to veſſels belonging to citizens of Amſterdam, as a gratification for their peculiar exertions to induce the ſtadtholder to take part with France againſt Great Britain. Veſſels and their cargoes ſo circumſtanced, were captured and condemned by the Britiſh, and this principle was then brought forward to juſtify their conduct, as covering, in their courts, all the caſes by a rule as extenſive as was the power and cupidity of their cruiſers on the ſea.

In the war for the independence of America, this principle, ſet up for the firſt time in that which preceded it, and contrary to former practice, was abandoned. This is exemplified in the following caſe, viz: A veſſel bound from Marſeilles to Martinico, and back again, was taken on the outward voyage; the vice admiralty court at Antigua gave half freight. On appeal, the lords of appeal gave the whole. It is ſaid in anſwer to this, that France opened her colonies, and though it was during the exiſtence of war, yet it was the profeſſion of keeping them always ſo, but was afterwards found deluſive. The lords of appeal, however, in the caſe of the Daniſh veſſel, could not have acted upon ſuch grounds: for their deciſion was in 1786, three years after the peace, and after it was manifeſt, if any doubt had before exiſted, that the general opening of the trade between the colonies and the mother country, to foreigners, was a temporary expedient, and dependent on the duration of the war. The claim before them was merely equitable, being for freight of that part of the voyage which had not been performed, and to obtain which the party claiming is bound to ſhew, that he has offended no law and interfered with no rights of the belligerent.

What renders the conduct of Great Britain peculiarly injurious to the merchants of our country at this time, is the extenſion of this offenſive doctrine, contrary to her own expreſs and publick declaration of the law during the laſt war; for it was then declared, that the importation from an enemy's colony, to the country to which the ſhip belonged, and the ſubſequent exportation was lawful; and ſo of property, the produce of the parent country, going from the United States to the colony—Vide caſes of Immanual and Polly, in Robinſon's Admiralty Reports, before cited. Whereas property going from the United States, the produce of an enemy's country, to her colony, although bona fide imported and landed in the United States, and exported on the ſole account and riſk of the American merchant, is now taken and condemned, on the grounds that the ſame perſon and veſſel imported and exported the ſame articles; and thus, by an arbitrary interpretation of the intention of the merchant, the ſecond voyage is adjudged to be a continuance of the firſt. If this new and extraordinary doctrine of continuity is maintained on the part of Great Britain, and acquieſced in by the United States, a very large property, now afloat, may be ſubject to condemnation, and it muſt follow, that an extenſive trade, which has been carried on with great advantage by the United States for theſe twelve years, and admitted to be lawful, will be totally annihilated.

The Indus, and cargo, have been condemned on the mere poſſibility, that the ſame might go to Europe, from Boſton, in caſe of a peace, in which event Great Britain could pretend to no authority to queſtion the voyage ſhe ſhould make.

Now, to adopt a principle of dubious right in its own nature, and then to extend ſuch principle to a further reſtriction of the trade of the neutral with-

out notice, is ſpreading a ſnare to entrap the property and defeat the acknowledged rights to which he is entitled.

Such are its effects, both on the individual owners of this property, as well as on the underwriters. For Mr. Sears and Mr. Chapman, in planning this voyage, and indeed in every one they ever proſecuted, have endeavoured to aſcertain what the law authorized them to do, as that law was underſtood and practiſed by the belligerents, and for this purpoſe they examined the orders to the Britiſh cruiſers, the adjudications in the Britiſh courts during the laſt war, and conceived themſelves clearly within even the narroweſt limits to which Great Britain profeſſed to circumſcribe the trade of neutrals. The underwriters alſo have been uniformly guided, in inſuring property, by the rules declared and promulgated by the belligerents themſelves. In the preſent caſe, they conſidered, that according to the cleareſt evidence of thoſe rules, they incurred no riſk from Britiſh cruiſers.

Should then Great Britain undertake to preſume, that the law would authorize the interruption of ſuch a trade, theſe gentlemen cannot bring themſelves to believe, that under even ſuch impreſſions of her rights ſhe would ſo far forget what is due to her former underſtanding of the law, and to the encouragement given to ſuch a commerce, as without notice of her altered ſentiments to ſeize and confiſcate the property of thoſe, who had ſo conformed their voyages to rules pronounced by herſelf.

I have the honour to be, ſir,

With great reſpect, your obedient ſervant,

(Signed) C. GORE.

Honourable James Madiſon, eſq.
ſecretary of ſtate.

REMONSTRANCE BY THE MINISTER PLENIPOTENTIARY OF THE UNITED STATES TO THE BRITISH GOVERNMENT.

No. 12, *Sept.* 23, 1805.

MY LORD,

I FLATTERED myſelf, from what paſſed in our laſt interview, that I ſhould have been honoured, before this, with an anſwer from your lordſhip to my letters reſpecting the late ſeizure of American veſſels. I underſtood it to be agreed, that the diſcuſſion which then took place, ſhould be conſidered as unofficial, as explanatory only of the ideas which we might reſpectively entertain on the ſubject, and that your lordſhip would afterwards give me ſuch a reply to my letters, reſpecting that meaſure, as his majeſty's government might deſire to have communicated to the government of the United States. In conſequence, I have ſince waited with anxiety for ſuch a communication, in the daily expectation of receiving it. It is far from being my deſire to give your lordſhip any trouble in this buſineſs which I can avoid, as the time which has ſince elapſed ſufficiently ſhews. But the great importance of the ſubject, which has indeed become more ſo by the continuance of the ſame policy and the frequency of ſeizures which are ſtill made of American veſſels, place me in a ſituation of peculiar reſponſibility. My government will expect of me correct information on this point, in all its views, and I am very deſirous of complying with its juſt expectation. I muſt, therefore, again requeſt that your lordſhip would be ſo kind as to enable me to make ſuch a repreſentation to my government, of that meaſure, as his majeſty's government may think proper to give.

I am ſorry to add, that the longer I have reflected on the ſubject, the more confirmed I have been in the objections to the meaſure. If we examine it in reference to the law of nations, it appears to me to be repugnant to every principle of that law; if by the underſtanding, or as it may be more properly called, the agreement of our governments, reſpecting the commerce in queſ-

tion, I conſider it equally repugnant to the principles of that agreement. In both theſe views your lordſhip will permit me to make ſome additional remarks on the ſubject.

By the law of nations as ſettled by the moſt approved writers, no other reſtraint is acknowledged, on the trade of neutral nations, with thoſe at war, than that it be impartial between the latter; that it ſhall not extend to articles which are deemed contraband of war; nor to the tranſportation of perſons in military ſervice; nor to places actually blockaded or beſieged. Every other commerce of a neutral with a belligerent is conſidered as a lawful commerce; and every other reſtraint on it to either of the belligerents by the other, an unlawful reſtraint.

The liſt of contraband it well defined, as are alſo the circumſtances which conſtitute a blockade. The beſt authorities have united in confining the firſt to ſuch articles as are uſed in war, and are applicable to military purpoſes; and requiring, to conſtitute the latter, the diſpoſition of ſuch a force, conſiſting of ſtationary ſhips, ſo near the port, by the power which attacks it, as to make it dangerous for the veſſel of a neutral power to enter it. The late treaty been *Great Britain* and *Ruſſia*, deſignates theſe circumſtances as neceſſary to conſtitute a blockade, and it is believed that it was never viewed before in a light more favourable to the invading power.

The veſſels condemned were engaged in a commerce between the *United States* and ſome port in *Europe*, or between thoſe ſtates and the *Weſt India Iſlands*, belonging to an enemy of *Great Britain*. In the European voyage the cargo conſiſted of the goods of the power to which the colony belonged and to which the ſhip was deſtined. The ſhip and cargo in every caſe, were the property of American citizens, and the cargo had been landed, and the duty on it paid in the *United States*. It was decided that theſe voyages were continuous, and the veſſels and cargoes were condemned on the principle that the commerce was illegal. I beg to refer more eſpecially in this ſtatement to the caſe of the Eſſex, an appeal from the judgment of the vice admiralty court at *New Providence*, in which the lords commiſſioners of appeals in confirming that judgment eſtabliſhed this doctrine.

It requires but a ſlight view of the ſubject to be ſatisfied that theſe condemnations are incompatible with the law of nations as above ſtated. None of the caſes have involved a queſtion of contraband, of blockade, or of any other kind that was ever conteſted till of late, in favour of a belligerent againſt a neutral power. It is not on any principle that is applicable to any ſuch caſe, that the meaſure can be defended. On what principle then is it ſupported by *Great Britain?* What is the nature and extent of the doctrine? What are the circumſtances which recommend, the arguments which ſupport it? For information on theſe points we cannot refer to the well known writers on the law of nations; no illuſtration can be obtained from them of a doctrine which they never heard of. We muſt look for it to an authority more modern; to one which, however reſpectable for the learning and profeſſional abilities of the judge who preſides, is nevertheleſs one which, from many conſiderations, is not obligatory on other powers. In a report of the deciſions of the court of admiralty of this kingdom, we find a notice of a ſeries of orders iſſued by the government of different dates and imports, which have regulated the buſineſs. The firſt of theſe bears date on the 6th of Nov. 1793; the ſecond on the 8th of Jan. 1794; the third on the 25th Jan. 1798. Other orders have been iſſued ſince the commencement of the preſent war. It is theſe orders which have authorized the ſeizures that were made at different times in the courſe of the laſt war, and were lately made by Britiſh cruiſers of the veſſels of the *United States*. Theſe too form the law which has governed the courts in the deciſions on the ſeveral caſes which have ariſen under thoſe ſeizures. The firſt of theſe orders prohibits altogether every ſpecies of commerce between neutral countries and enemies' colonies; and between neutral and other countries, in the productions of thoſe colonies; the ſecond and ſubſequent orders modify

it in various forms. The doctrine, however, in every deciſion, is the ſame ; it is contended in each, that the character and juſt extent of the principle is to be found in the the firſt order, and that every departure from it ſince has been a relaxation of the principle, not claimed of right by neutral powers, but conceded in their favour gratuitouſly by *Great-Britain.*

In ſupport of theſe orders it is urged, that as the colonial trade is a ſyſtem of monopoly to the parent country in time of peace, neutral powers have no right to participate in it in time of war, although they be permitted ſo to do by the parent country ; that a belligerent has a right to interdict them from ſuch a commerce. It is on this ſyſtem of internal reſtraint, this regulation of colonial trade, by the powers having colonies, that a new principle of the law of nations is attempted to be founded ; one which ſeeks to diſcriminate in reſpect to the commerce of neutral powers, with a belligerent, between different parts of the territory of the ſame power, and likewiſe ſubverts many other principles of great importance, which have heretofore been held ſacred among nations. It is believed that ſo important a ſuperſtructure was never raiſed on ſo ſlight a foundation. Permit me to aſk, does it follow, becauſe the parent country monopoliſes in peace the whole commerce of her colonies, that in war it ſhould have no right to regulate it at all ? That on the contrary it ſhould be conſtrued to transfer, in equal extent, a right to its enemy, to the prejudice of the parent country, of the colonies, and of neutral powers ? If this doctrine was found it would certainly inſtitute a new and ſingular mode of acquiring and loſing rights ; one which would be highly advantageous to one party, while it wrs equally injurious to the other. To the colonies, more eſpecially, it would prove peculiarly onerous and oppreſſive. It is known that they are eſſentially dependent for their exiſtence, on ſupplies from other countries, eſpecially the United States of America, who, being in their neighbourhood, have the means of furniſhing them with greateſt certainty, and on the beſt terms. Is it not ſufficient that they be ſubjected to that reſtraint in peace, when the evils attending it, by the occaſional interference of the parent country, may be, and are frequently required ? Is it conſiſtent with juſtice or humanity, that it ſhould be converted into a principle, in favour of an enemy, inexorable of courſe, but otherwiſe without the means of liſtening to their complaints, not for their diſtreſs or oppreſſion only, but for their extermination ? But there are other inſuperable objections to this doctrine. Are not the colonies of every country a part of its domain, and do they not cnntinue to be ſo until they are ſevered from it by conqueſt ? Is not the power to regulate commerce, incident to the ſovereignty, and is it not co-extenſive over the whole territory which any government poſſeſſes ? Can one belligerent acquire any right to the territory of another but by conqueſt ? And can any rights which appertain thereto, be otherwiſe defeated or curtailed in war ? In whatever light, therefore, the ſubject is viewed, it appears to me evident that this doctrine cannot be ſupported. No diſtinction, founded in reaſon, can be taken between the different parts of the territory of the ſame power to juſtify it. The ſeparation of one portion from another by the ſea gives lawfully to the belligerent which is ſuperiour on that element, a vaſt aſcendency in all the concerns on which the ſucceſs of the war, or the relative proſperity of their reſpective dominions, may in any degree depend. It opens to ſuch power ample means for its own aggrandiſement, and for the harraſſment and diſtreſs of its adverſary. With theſe it ſhould be ſatisfied. But neither can that circumſtance, nor can any of internal arrangement, which any power may adopt for the government of its domains, be conſtrued to give to its enemy any other advantage over it. They certainly do not juſtify the doctrine in queſtion, which aſſerts that the law of nations varies in its application to different portions of the territory of the ſame power : that it operates in one mode, in reſpect to one, and in another, or even not at all, in reſpect to another ; that the rights of humanity, of neutral powers, and all other rights, are to ſink before it.

It is further urged that neutral powers ought not to complain of this retraint, becauſe they ſtand under it, on the ſame ground, with reſpect to that commerce, which they held in time of peace. But this fact, if true, gives no ſupport to the pretenſion. The claim involves a queſtion of right, not of intereſt. If the neutral powers have a right in war to ſuch commerce with the colonies of the enemies of Great Britain, as the parent ſtates reſpectively allowed, they ought not to be deprived of it by her, nor can its juſt claims be ſatisfied by any compromiſe of the kind aliuded to. For this argument to have the weight which it is intended to give it, the commerce of the neutral powers with thoſe colonies ſhould be placed and preſerved through the war, in the ſame ſtate, as if it had not occurred. Great Britain ſhould in reſpect to them take the place of the parent country,and do every thing which the latter would have done had there been no war. To diſcharge that duty,it would be neceſſary for her to eſtabliſh ſuch a police over the colony, as to be able to examine the circumſtances attending it annually, to aſcertain whether the crops were abundant, ſupplies from other quarters had failed, and eventually to decide whether under ſuch circumſtances the parent country would have opened the ports to neutral powers. But theſe offices cannot be performed by any power which is not in poſſeſſion of the colony ; that can only be obtained by conqueſt, in which caſe, the victor would of courſe have a right to regulate its trade as it thought fit.

It is alſo ſaid, that neutral powers have no right to profit of the advantages which are gained in war by the arms of *Great Britain*. This argument has even leſs weight than the others. It does not, in truth, apply at all to the queſtion. Neutral powers do not claim a right, as already obſerved, to any commerce with the colonies which *Great Britain* may have conquered of her enemies, otherwiſe than on the conditions which ſhe impoſes. The point in queſtion turns on the commerce which they are entitled to with the colonies which ſhe has not conquered, but ſtill remain ſubject to the dominion of the parent country. With ſuch it is contended,for reaſons that have been already given, that neutral powers have a right to enjoy all the advantages in trade which the parent country allows them : a right of which the mere circumſtance of war cannot deprive them. If *Great Britain* had a right to prohibit that commerce, it exiſted before the war began, and of courſe before ſhe had gained any advantage over her enemies. If it did not then exiſt, it certainly does not at the preſent time. Rights of the kind in queſtion, cannot depend on the fortune of war, or other contingencies. The law which regulates them is invariable,until it be changed by the competent authority. It forms a rule equally between belligerent powers, and between neutral and belligerent, which is dictated by reaſon and ſanctioned by the uſage and conſent of nations.

The foregoing conſiderations have, it is preſumed, proved that the claim of *Great Britain* to prohibit the commerce of neutral powers, in the manner propoſed, is repugnant to the law of nations. If, however, any doubt remained on that point, other conſiderations which may be urged cannot fail to remove it. The number of orders of different imports which have been iſſued by government, to regulate the ſeizure of neutral veſſels, is a proof that there is no eſtabliſhed law for the purpoſe. And the ſtrictneſs with which the courts have followed thoſe orders, through their various modifications, is equally a proof that there is no other authority for the government of their deciſions. If the order of the 6th of November, 1793, contained the true doctrine of the law of nations, there would have been no occaſion for thoſe which followed, nor is it probable that they would have been iſſued ; indeed if that order had been in conformity with that law, there would have been no occaſion for it. As in the caſes of blockade and contraband, the law would have been well known without an order, eſpecially one ſo very deſcriptive, the intereſt of the cruiſers, which is always ſufficienrly active,would have prompted them to make the ſeizures, and the opinion of eminent writers, which in that caſe would not have been wanting, would have furniſhed the courts the beſt authority for their deciſions.

I ſhall now proceed to ſhew that the deciſions complained of are contrary to the underſtanding, or what, perhaps, may more properly be called an agreement of the two governments, on the ſubject. By the order of the 6th of November, 1793, ſome hundreds of American veſſels were ſeized, carried into port, and condemned. Thoſe ſeizures, and condemnations, became the ſubject of an immediate negociation between the two nations, which terminated in a treaty, by which it was agreed to ſubmit the whole ſubject to commiſſioners, who ſhould be inveſted with full power to ſettle the controverſy which had thus ariſen. That ſtipulation was carried into complete effect; commiſſioners were appointed, who examined, laboriouſly and fully, all the caſes of ſeizure and condemnation which had taken place, and finally decided on the ſame, in which deciſions they condemned the principle of the order and awarded compenſation to thoſe who had ſuffered under it. Thoſe awards have been ſince fairly and honourably diſcharged by G. B. It merits particular attention that a part of the 12th article of that treaty, referred expreſsly to the point in queſtion, and that it was on the ſolemn deliberation of each government, by their mutual conſent, expunged from it. It ſeems therefore to be impoſſible to conſider that tranſaction, under all the circumſtances attending it, in any other light than as a fair and amicable adjuſtment of the queſtion between the parties; one which authorized the juſt expectation, that it would never have become again a cauſe of complaint between them. The ſenſe of both was expreſſed on it in a manner too marked and explicit to admit of a different concluſion. The ſubject too was of a nature that when once ſettled ought to be conſidered as ſettled forever. It is not like queſtions of commerce between two powers, which affect their internal concerns, and depend, of courſe, on the internal regulations of each. When theſe latter are arranged by treaty, the rights which accrue to each party under it, in the interiour of the other, ceaſe when the treaty expires. Each has a right afterwards to decide for itſelf in what manner that concern ſhall be regulated in future, and in that deciſion to conſult ſolely its intereſt. But the preſent topick is of a very different character. It involves no queſtion of commerce or other internal concern between two nations. It reſpects the commerce only, which either may have with the enemies of the other, in time of war. It involves, therefore, only a queſtion of right, under the law of nations, which in its nature cannot fluctuate. It is proper to add, that the concluſion, above mentioned, was further ſupported by the important fact, that, until the late decree in the caſe of the *Eſſex*, not one American veſſel, engaged in this commerce, had been condemned on this doctrine; that ſeveral which were met in the channel, by the Britiſh cruiſers, were permitted, after an examination of their papers, to purſue the voyage. This circumſtance juſtified the opinion, that that commerce was deemed a lawful one by Great Britain.

There is another ground, on which the late ſeizures and condemnations are conſidered as highly objectionable, and furniſh juſt cauſe of complaint to the United States. Until the final report of commiſſioners under the 7th article of the treaty of 1794, which was not made until laſt year, it is admitted that their arbitrament was not obligatory on the parties, in the ſenſe in which it is now contended to be. Every intermediate declaration, however, by G. B. of her ſenſe on the ſubject, muſt be conſidered as binding on her, as it laid the foundation of commercial enterprizes, which were thought to be ſecure while within that limit. Your lordſhip will permit me to refer you to ſeveral examples of this kind, which were equally formal and official, in which the ſenſe of his majeſty's government was declared very differently from what it has been in the late condemnations. In Robinſon's reports, vol. 2, page 368, (caſe the Polly, Laſkey, maſter) it ſeems to have been clearly eſtabliſhed by the learned judge of the court of admiralty, that an American has a right to import the produce of an enemy's colony into the United States, and to ſend it on afterwards to the general commerce of Europe; and that the landing the goods, and paying the duties in the United States ſhould preclude

all further queſtion relative to the voyage. The terms "for his own uſe," which are to be found in the report, are obviouſly intended to aſſert the claim, only that the property ſhall be American, and not that of an enemy; by admitting the right to ſend on the produce afterwards to the general commerce of Europe, it is not poſſible that thoſe terms ſhould convey any other idea. A *bona fide* importation is alſo held by the judge to be ſatisfied by the landing the goods and paying the duties. This therefore is, I think, the true import of that deciſion. The doctrine is again laid down in ſtill more explicit terms by the government itſelf, in a correſpondence between lord Hawkeſbury and my predeceſſor, Mr. King. The caſe was preciſely ſimilar to thoſe which have been lately before the court. Mr. King complained, in a letter of March 18, 1801, that the cargo of an American veſſel going from the United States to a Spaniſh colony, had been condemned by the vice admiralty court of Naſſau, on the ground that it was of the growth of Spain, which deciſion he contended was contrary to the law of nations, and requeſted that ſuitable inſtructions might be diſpatched to the proper officers in the Weſt Indies, to prevent like abuſes in future.

Lord Hawkeſbury, in a reply of April 11, communicated the report of the king's advocate general, in which it is expreſsly ſtated that the produce of an enemy may be imported by a neutral into his own country and re-exported thence to the mother country: and in like manner, in that circuitous mode, that the produce and manufactures of the mother country might find their way to its colonies; that the landing the goods and paying the duties in the neutral country broke the continuity of the voyage, and legalized the trade, although the goods were re-ſhipped in the ſame veſſel, on account of the ſame neutral proprietors, and forwarded for ſale to the mother country of the colony. It merits attention in this report, (ſo clearly and poſitively is the doctrine laid down, that the landing the goods and paying the duties in the neutral country broke the continuity of the voyage) that it is ſtated as a doubtful point whether the mere touching in the neutral country to obtain freſh clearances will be conſidered in the light of the direct trade; that no poſitive inhibition is inſiſted on any but the direct trade between the mother country and the colonies.

This doctrine, in the light herein ſtated, is alſo to be found in the treaty between Great Britain and Ruſſia, June 17, 1801. By the 2d ſection of the 3d article, the commerce of neutrals in the productions or manufactures of the enemies of Great Britain, which have become the property of the neutral, is declared to be free; that ſection was afterwards explained by a declaratory article of October 20 of the ſame year, by which it is agreed, that it ſhall not be underſtood to authoriſe neutrals to carry the produce or merchandiſe of an enemy either directly from the colonies to the parent country, or from the parent country to the colonies. In other reſpects the commerce was left on the footing on which it was placed by that ſection, perfectly free, except in the direct trade between the colony and the parent country. It is worthy of remark that, as by the reference made in the explantaory article of the treaty with *Ruſſia* to the *U. S.* of *America*, it was ſuppoſed that thoſe ſtates and *Ruſſia*, *Denmark*, and *Sweden*, had a common intereſt in neutral queſtions, ſo it was obviouſly intended, from the ſimilarity of ſentiment which is obſervable between that treaty as mentioned, and the report of the advocate general above mentioned, to place all the parties on the ſame footing. After theſe acts of the Britiſh government, which being official were made publick, it was not to be expected that any greater reſtraint would have been contemplated by it, on that commerce, than they impoſe; that an inquiry would ever have been made, not whether the property with which an American veſſel was charged belonged to a citizen of the United Sates or an enemy, but whether it belonged to this or that American; an inquiry which impoſes a condition which it is believed that no independent nation, having a juſt ſenſe of what it owes to its rights or its honour, can ever comply with. Much leſs was it to be expected

that ſuch a reſtraint would have been thought of after the report of the commiſſioners above adverted to, which ſeemed to have placed the rights of the United States inconteſtibly on a much more liberal, and as is contended, juſt footing.

It is proper to add, that the decree of the lords commiſſioners of appeals in the caſe of the *Eſſex* produce the ſame effect as an order from the government would have done. Prior to that decree, from the commencement of the war, the commerce in queſtion was purſued by the citizens of the United States, as has been already obſerved, without moleſtation. It is preſumable that till then his majeſty's cruiſers were induced to forbear a ſeizure, by the ſame conſideration which induced the American citizens to engage in the commerce, a belief that it was a lawful one. The facts above mentioned were equally before the parties, and it is not ſurpriſing that they ſhould have drawn the ſame concluſion from them. That decree, however, opened a new ſcene. It certainly gave a ſignal to the cruiſers to commence the ſeizures which they have not failed to do, as has been ſufficiently felt by the citizens of the United States, who have ſuffered under it. According to the information which has been given me, about fifty veſſels have been brought into the ports of Great Britain in conſequence of it, and there is reaſon to believe that the ſame ſyſtem is purſued in the Weſt-Indies and elſewhere. The meaſure is the more to be complained of, becauſe G. Britain had, in permitting the commerce for two years, given a ſanction to it by her conduct, and nothing had occurred to create a ſuſpicion that her ſentiments varied from her conduct. Had that been the caſe or had ſhe been diſpoſed to change her conduct in that reſpect towards the U. States, it might reaſonably have been expected that ſome intimation would have been given of it before the meaſure was carried into effect. Between powers who are equally deſirous of preſerving the relations of friendſhip with each other, notice might in all ſuch caſes be expected. But in the preſent caſe the obligations to give it ſeemed to be peculiarly ſtrong. The exiſtence of a negociation which had been ſought on the part of the United States ſome conſiderable time before my departure for Spain, for the expreſs purpoſe of adjuſting amicably and fairly all ſuch queſtions between the two nations, and poſtponed on that occaſion to accommodate the views of his majeſty's government, furniſhed a ſuitable opportunity for ſuch an intimation, while it could not otherwiſe than increaſe the claim to it.

In this communication I have made no comment on the difference which is obſervable in the import of the ſeveral orders which regulated, at different times, the ſeizure of neutral veſſels, ſome of which were more moderate than others. It is proper, however, to remark here, that thoſe which were iſſued, or even that any had been iſſued ſince the commencement of the preſent war, were circumſtances not known till very lately: On principle it is acknowledged, that they are to be viewed in the ſame light, and it has been my object to examine them by that ſtandard, without going into detail, or making the ſhades of difference between them. I have made the examination with that freedom and candour which belong to a ſubject of very high importance to the United States, the reſult of which has been, as I preſume, to prove, that all the orders are repugnant to the law of nations, and that the late condemnations which have revived the pretenſions on the part of *Great Britain*, are not only repugnant to that law, but to the underſtanding which it was ſuppoſed had taken place between the two powers, reſpecting the commerce in queſtion.

I cannot conclude this note without adverting to the other topicks depending between our governments which it is alſo much wiſhed to adjuſt at this time. Theſe are well known to your lordſhip, and it is therefore unneceſſary to add any thing on them at preſent. With a view to perpetuate the friendſhip of the two nations, no unneceſſary cauſe of colliſion ſhould be left open. Thoſe reverted to, are believed to be of this kind, ſuch as the caſe of boundary, the impreſſment of ſeamen, &c. ſince it is preſumed there can be no real

conflicting intereſt between them on thoſe points. The general commercial relation may then be adjuſted or poſtponed as may be moſt conſiſtent with the views of his majeſty's government. On that point alſo it is believed that it will not be difficult to make ſuch an arrangement as, by giving ſufficient ſcope to the reſources, to the induſtry and the enterprize of the people of both countries, may prove highly and reciprocally advantageous to them. In the topick of impreſſment, however, the motive is more urgent. In that line the rights of the United States have been ſo long trampled under foot, the feelings of humanity in reſpect to the ſufferers, and the honour of their government, even in their own ports, ſo often outraged, that the aſtoniſhed world may begin to doubt, whether the patience with which theſe injuries have been borne ought to be attributed to generous or unworthy motives: Whether the United States merit the rank to which in other reſpects they are juſtly entitled among independent powers, or have already, in the very morn of their political career, loſt their energy, and become degenerate. The United States are not inſenſible that their conduct has expoſed them to ſuch ſuſpicions, though they well know that they have not merited them. They are aware, from the ſimilarity in the perſon, in the manners, and above all, the identity of the language, which is common to the people of both nations, that the ſubject is a difficult one; they are equally aware, that to Great-Britain alſo it is a delicate one, and they have been willing in ſeeking an arrangement of this important intereſt, to give a proof, by the mode, of their very ſincere deſire to cheriſh the relations of friendſhip with her. I have only to add, that I ſhall be happy to meet your lordſhip on theſe points, as ſoon as you can make it convenient to you. I have the honour to be, with high conſideration, your lordſhip's moſt obedient ſervant.

(Signed) JAMES MONROE.

EXTRACT OF A LETTER FROM THE SECRETARY OF STATE TO MR. MONROE, RELATIVE TO IMPRESSMENTS, DATED 5TH JANUARY, 1804.

WE conſider a neutral flag, on the high ſeas, as a ſafeguard to thoſe ſailing under it. Great Britain, on the contrary, aſſerts a right to ſearch for, and ſeize her own ſubjects; and under that cover, as cannot but happen, are often ſeized and taken off, citizens of the United Stats, and citizens or ſubjects of other neutral countries, navigating the high ſeas, under the protection of the American flag.

Were the right of Great Britain, in this caſe, not denied, the abuſes flowing from it would juſtify the United States in claiming and expecting a diſcontinuance of its exerciſe. But the right is denied, and on the beſt grounds.

Although Great Britian has not yet adopted, in the ſame latitude with moſt other nations, the immunities of a neutral flag, ſhe will not deny the general freedom of the high ſeas, and of neutral veſſels navigating them, with ſuch exceptions only as are annexed to it by the law of nations. She muſt produce then ſuch an exception in the law of nations, in favour of the right ſhe contends for. But in what written and received authority will ſhe find it? In what uſage except her own will it be found? She will find in both, that a neutral veſſel does not protect certain objects denominated contraband of war, including enemies ſerving in the war, nor articles going into a blockaded port, nor as ſhe has maintained, and as we have not conteſted, enemy's property of any kind. But no where will ſhe find an exception to this freedom of the ſeas, and of neutral flags, which juſtifies the taking away of any perſon not an enemy, in military ſervice, found on board a neutral veſſel.

If treaties, Britiſh as well as others, are to be conſulted on this ſubject, it will equally appear, that no countenance to the practice can be found in

them. Whilſt they admit a contraband of war, by enumerating its articles, and the effect of a real blockade by defining it, in no inſtance do they affirm or imply a right in any ſovereign to enforce his claims to the allegiance of his ſubjects, on board neutral veſſels on the high ſeas. On the contrary, whenever a belligerent claim againſt perſons on board a neutral veſſel, is referred to in treaties, enemies in military ſervice alone are excepted from the general immunity of perſons in that ſituation; and this exception confirms the immunity of thoſe who are not included in it.

It is not then from the law or the uſage of nations, nor from the tenor of treaties, that any ſanction can be derived for the practice in queſtion. And ſurely it will not be pretended that the ſovereignty of any nation extends, in any caſe whatever, beyond its own dominions, and its own veſſels on the high ſeas. Such a doctrine would give juſt claim to all nations, and more than any thing would countenance the imputation of aſpiring to an univerſal empire of the ſeas. It would be the leſs admiſſible too, as it would be applicable to times of peace, as well as to times of war, and to property as well as to perſons. If the law of allegiance, which is a municipal law, be in force at all on the high ſeas, on board foreign veſſels, it muſt be ſo at all times there, as it is within its acknowledged ſphere. If the reaſon alleged for it be good in time of war, namely, that the ſovereign has then a right to the ſervice of all his ſubjects, it muſt be good at all times, becauſe at all times, he has the ſame right to their ſervice. War is not the only occaſion for which he may want their ſervices, nor is external danger the only danger againſt which their ſervices may be required for his ſecurity. Again; if the authority of a municipal law can operate on perſons in foreign veſſels on the high ſeas, becauſe within the dominion of their ſovereign, they would be ſubject to that law, and are violating that law by being in that ſituation, how reject the inference that the authority of a municipal law may equally be enforced, on board foreign veſſels, on the high ſeas, againſt articles of property exported in violation of ſuch a law, or belonging to the country from which it was exported? And thus every commercial regulation, in time of peace too, as well as of war, would be made obligatory on foreigners and their veſſels, not only whilſt within the dominion of the ſovereign making the regulation, but in every ſea, and at every diſtance where an armed veſſel might meet with them. Another inference deſerves attention. If the ſubjects of one ſovereign may be taken by force from the veſſels of another, on the high ſeas, the right of taking them when found, implies the right of ſearching for them; a vexation of commerce, eſpecially in time of peace, which has not yet been attempted, and which for that as well as other reaſons, may be regarded as contradicting the principle from which it would flow.

Taking reaſon and juſtice for the teſts of this practice, it is peculiarly indefenſible; becauſe it deprives the deareſt rights of perſons of a regular trial, to which the moſt inconſiderable article of property captured on the high ſeas is entitled; and leaves their deſtiny to the will of an officer, ſometimes cruel, often ignorant, and generally intereſted by his want of mariners, in his own deciſions. Whenever property found in a neutral veſſel is ſuppoſed to be liable on any grounds to capture and condemnation, the rule in all caſes is that the queſtion ſhall not be decided by the captor, but be carried before a legal tribunal, where a regular trial may be had, and where the captor himſelf is liable to damages, for an abuſe of his power. Can it be reaſonable then, or juſt, that a belligerent commander who is thus reſtricted, and thus reſponſible in a caſe of mere property of trivial amount, ſhould be permitted, without recurring to any tribunal whatever, to examine the crew of a neutral veſſel, to decide the important queſtion of their reſpective allegiances, and to carry that deciſion into inſtant execution, by forcing every individual he may chuſe, into a ſervice abhorrent to his feelings, cutting him off from his moſt tender connections, expoſing his mind and his perſon to the moſt humiliating diſcipline, and his life itſelf to the greateſt dangers? Reaſon,

juſtice, and humanity unite in proteſting againſt ſo extravagant a proceeding. And what is the pretext for it? It is that the ſimilarity of language and of features between American citizens and Britiſh ſubjects, are ſuch as not eaſily to be diſtinguiſhed; and that without this arbitrary and ſummary authority to make the diſtinction, Britiſh ſubjects would eſcape, under the name of American citizens, from the duty which they owe to their ſovereign. Is then the difficulty of diſtinguiſhing a mariner of one country from the mariner of the other, and the importance of his ſervices, a good plea for referring the queſtion whether be belongs to the one or to the other, to an arbitrary deciſion on the the ſpot, by an intereſted and unreſponſible officer? In all other caſes, the difficulty and the importance of queſtions are conſidered as reaſons for requiring greater care and formality in inveſtigating them, and greater ſecurity for a right deciſion of them. To ſay that precautions of this ſort are incompatible with the object, is to admit that the object is unjuſtifiable; ſince the only means by which it can be purſued are ſuch as cannot be juſtified.

The evil takes a deeper die, when viewed in its practice as well as its principles. Were it allowable that Britiſh ſubjects ſhould be taken out of American veſſels on the high ſeas, it might at leaſt be required that the proof of their allegiance ſhould lie on the Britiſh ſide. This obvious and juſt rule is, however, reverſed; and every ſeaman on board, though going from an American port, and ſailing under the American flag, and ſometimes even ſpeaking an idiom proving him not to be a Britiſh ſubject, is preſumed to be ſuch, unleſs ſhewn to be an American citizen. It may ſafely be affirmed that this is an outrage and an indignity which has no precedent, and which Great Britain would be among the laſt nations in the world to ſuffer, if offered to her own ſubjects, and her own flag. Nor is it always againſt the right preſumption alone which is in favour of the citizenſhip correſponding with the flag, that the violence is committed. Not unfrequently it takes place in defiance of the moſt poſitive proof, certified in due form by an American officer. Let it not be ſaid, that, in granting to American ſeamen this protection for their rights as ſuch, the point is yielded, that the proof lies on the American ſide, and that the want of it in the preſcribed form juſtifies the inference that the ſeamen is not of American allegiance. It is diſtinctly to be underſtood, that the certificate, uſually called a protection to American ſeamen, is not meant to protect them under their own, or even any other neutral flag on the high ſeas. We can never admit, that in ſuch a ſituation, any other protection is required for them, than the neutral flag itſelf on the high ſeas. The document is given to prove their real character, in ſituations to which neither the law of nations, nor the law of their own country, are applicable; in other words, to protect them within the juriſdiction of the Britiſh laws, and to ſecure to them, within every other juriſdiction the rights and immunities due to them. If, in the courſe of their navigation even on the high ſeas, the document ſhould have the effect of repelling wrongs of any ſort, it is an incidental advantage only, of which they avail themſelves, and is by no means to be miſconſtrued into a right to exact ſuch a proof, or to make any diſadvantageous inference from the want of it.

Were it even admitted that certificates for protection might be juſtly required in time of war from American ſeamen, they could only be required in caſes where the lapſe of time from its commencement had given an opportunity for the American ſeamen to provide themſelves with ſuch a document. Yet it is certain, that, in a variety of inſtances, ſeamen have been impreſſed from American veſſels, on the plea that they had not this proof of citizenſhip, when the dates and places of the impreſſments demonſtrated the impoſſibility of their knowing, in time to provide the proof, that a ſtate of war had rendered it neceſſary.

Whether, therefore, we conſult the law of nations, the tenor of treaties, or the dictates of reaſon and juſtice, no warrant, no pretext can be found for the

Britiſh practice of making impreſſments from American veſſels on the high ſeas.

Great-Britain has the leſs to ſay in excuſe for this practice, as it is in direct contradiction to the principles on which ſhe proceeds in other caſes. Whilſt ſhe claims and ſeizes on the high ſeas, her own ſubjects, voluntarily ſerving in American veſſels, ſhe has conſtantly given, when ſhe could give, as a reaſon for not diſcharging from her ſervice American citizens, that they had voluntarily engaged in it. Nay, more, whilſt ſhe impreſſes her own ſubjects from the American ſervice, although they may have been ſettled and married, and even naturaliſed in the United States, ſhe conſtantly refuſes to releaſe from her's, American citizens impreſſed into it, whenever ſhe can give for a reaſon, that they were either ſettled or married within her dominions. Thus, when the voluntary conſent of the individual favours her pretenſions, ſhe pleads the validity of that conſent. When the voluntary conſent of the individual ſtands in the way of her pretenſions, it goes for nothing! When marriage or reſidence can be pleaded in her favour, ſhe avails herſelf of the plea. When marriage and reſidence, and even naturalization are againſt her, no reſpect whatever is paid to either! She takes by force her own ſubjects, voluntarily ſerving in our veſſels; ſhe keeps by force American citizens, involuntarily ſerving in hers. More flagrant inconſiſtencies cannot be imagined.

Notwithſtanding the powerful motives which ought to be felt by the Britiſh government to relinquiſh a practice which expoſes it to ſo many reproaches, it is foreſeen that objections of different ſorts will be preſſed on you. You will be told firſt, of the great number of Britiſh ſeamen in the American trade, and of the neceſſity for their ſervices in time of war and danger. Secondly, of the right and the prejudice of the Britiſh nation, with reſpect to what are called the Britiſh or narrow ſeas, where its domain would be abandoned by the general ſtipulation required. Thirdly, of the uſe which would be made of ſuch a ſanctuary as that of American veſſels, for deſertions, and traitorous communications to her enemies, eſpecially acroſs the channel to France.

1ſt. With reſpect to the Britiſh ſeamen ſerving in our trade, it may be remarked, firſt, that the number, though conſiderable, is probably leſs than may be ſuppoſed. Secondly, that what is wrong in itſelf cannot be made right by conſiderations of expediency or advantage. Thirdly, that it is proved by the fact, that the number of real Britiſh ſubjects gained by the practice in queſtion, is of inconſiderable importance, even in the ſcale of advantage. The annexed report to congreſs on the ſubject of impreſſments, with the addition of ſuch caſes as may be in the hands of Mr. Erving, will verify the remark in its application to the preſent war. The ſtatement made by his predeceſſor during the laſt war, and which is alſo annexed, is in the ſame view ſtill more concluſive. The ſtatement comprehends not only all the applications made by him in the firſt inſtance, for the liberation of impreſſed ſeamen, between the month of June, 1797, and September, 1801, but many alſo which had been made previous to this agency by Mr. Pinckney and Mr. King, and which it was neceſſary for him to renew. Theſe applications therefore may fairly be conſidered as embracing the greater part of the period of the war; and as applications are known to be pretty indiſcriminately made, they may further be conſidered as embracing, if not the whole, the far greater part of the impreſſments, thoſe of Britiſh ſubjects as well as others. Yet the reſult exhibits 2,059 caſes only, and of this number 102 ſeamen only, detained as being Britiſh ſubjects, which is leſs than 1-20th of the number impreſſed, and 1,142 diſcharged or ordered to be ſo, as not being Britiſh ſubjects, which is more than half of the whole number, leaving 805 for further proof, with the ſtrongeſt preſumption that the greater part, if not the whole, were Americans or other aliens, whoſe proof of citizenſhip had been loſt or deſtroyed, or whoſe ſituation would account for the difficulties and delays in producing it. So that it is certain, that for all the Britiſh ſeamen gained by this violent proceeding, more than an equal number who were not ſo were the victims; it is highly probable that for every Britiſh ſeaman ſo gained, a number of oth-

ers, leſs than 10 for one, muſt have been the victims, and it is even poſſible that this number may have exceeded the proportion of 20 to one.

It cannot therefore be doubted, that the acquiſition of Britiſh ſeamen by theſe impreſſments, whatever may be its advantage, is loſt in the wrong done to Americans ignorantly or wilfully miſtaken for Britiſh ſubjects, in the jealouſy and ill-will excited among all maritime nations by an adherence to ſuch a practice, and in the particular provocation to meaſures of redreſs on the part of the United States, not leſs diſagreeable to them, than embarraſſing to Great-Britain, and which may threaten the good underſtanding which ought to be faithfully cultivated by both. The copy of a bill brought into Congreſs under the influence of violations committed on our flag, gives force to this latter conſideration. Whether it will paſs into a law, and at the preſent ſeſſion, is more than can yet be ſaid. As there is every reaſon to believe that it has been propoſed with reluctance, it will probably not be purſued into effect, if any hope can be ſupported of a remedy, by an amicable arrangement between the two nations.

There is a further conſideration which out to have weight in this queſtion. Although the Britiſh ſeamen employed in carrying on American commerce, be in ſome reſpects loſt to their own nation, yet ſuch is the intimate and extenſive connection of this commerce, direct and circuitous, with the commerce, the manufactures, the revenue and the general reſources of the Britiſh nation, that in other reſpects its mariners, on board American veſſels, may truly be ſaid to be rendering it the moſt valuable ſervices. It would not be extravagant to make it a queſtion, whether Great Britain would not ſuffer more by withdrawing her ſeamen from the merchant veſſels of the United States, than her enemies would ſuffer from the addition of them to the crews of her ſhips of war and cruiſers.

Should any difficulty be ſtarted concerning ſeamen born within the Britiſh dominions, and naturalized by the United States ſince the treaty of 1783, you may remove it by obſerving: Firſt, that very few, if any, ſuch naturalizations can take place, the law here requiring a preparatory reſidence of five years, with notice of the intention to become a citizen entered of record two years before the laſt neceſſary formality, beſides a regular proof of good moral character, conditions little likely to be complied with by ordinary ſea-faring perſons. Secondly, that a diſcontinuance of impreſſments on the high ſeas will preclude an actual colliſion between the interfering claims. Within the juriſdiction of each nation, and in their reſpective veſſels on the high ſeas, each will enforce the allegiance which it claims. In other ſituations the individuals doubly claimed, will be within a juriſdiction independent of both nations.

Secondly. The Britiſh pretenſions to domain over the narrow ſeas are ſo obſolete, and ſo indefenſible, that they never would have occurred as a probable objection in this caſe, if they had not actually fruſtrated an arrangement ſettled by Mr. King with the Britiſh miniſtry on the ſubject of impreſſments from American veſſels on the high ſeas. At the moment when the articles were expected to be ſigned, an exception of the "narrow ſeas" was urged and inſiſted on by lord St. Vincent; and being utterly inadmiſſible on our part, the negociation was abandoned.

The objection in itſelf has certainly not the ſlighteſt foundation. The time has been, indeed, when England not only claimed, but exerciſed pretenſions ſcarcely inferiour to full ſovereignty over the ſeas ſurrounding the Britiſh iſles, and even as far as Cape Finiſterre to the ſouth, and Van Staten, in Norway, to the north. It was a time, however, when reaſon had little ſhare in determining the law, and the intercourſe of nations; when power alone decided queſtions of right, and, when the ignorance and want of concert among other maritime countries facilitated ſuch an uſurpation. The progreſs of civilization and information has produced a change in all thoſe reſpects, and no principle in the code of publick law, is at preſent better eſtabliſhed, than

the common freedom of the ſeas beyond a very limited diſtance from the territories waſhed by them. This diſtance is not, indeed, fixed with abſolute preciſion. It is varied in a ſmall degree by written authorities, and perhaps it may be reaſonably varied in ſome degree by local peculiarities. But the greateſt diſtance which would now be liſtened to any where, would make a ſmall proportion of the narroweſt part of the narroweſt ſeas in queſtion.

What are, in fact, the prerogatives claimed and exerciſed by Great Britain over theſe ſeas? If they were really a part of her domain, her authority would be the ſame there as within her other domain. Foreign veſſels would be ſubject to all the laws and regulations framed for them, as much as if they were within the harbours or rivers of the country. Nothing of this ſort is pretended. Nothing of this ſort would be tolerated. The only inſtances in which theſe ſeas are diſtinguiſhed from other ſeas, or in which Great Britain enjoys within them, any diſtinction over other nations, are, firſt, the compliment paid by other flags to her's. Secondly, the extenſion of her territorial juriſdiction in certain caſes to the diſtance of four leagues from the coaſt. The firſt is a relick of ancient uſurpation, which has thus long eſcaped the correction, which modern and more enlightened times have applied to other uſurpations. The prerogative has been often conteſted, however, even at the expenſe of bloody wars, and is ſtill borne with ill will and impatience by her neighbours. At the laſt treaty of peace at Amiens, the abolition of it was repeatedly and ſtrongly preſſed by France; and it is not improbable, that at no remote day it will follow the fate of the title of "King of France," ſo long worn by the Britiſh monarchs, and at length ſo properly ſacrificed to the leſſons of a magnanimous wiſdom. As far as this homage to the Britiſh flag has any foundation at preſent, it reſts merely on long uſage and long acquieſcence, which are conſtrued, as in a few other caſes of maritime claims, into the effect of a general though tacit convention. The ſecond inſtance is the extenſion of the territorial juriſdiction to four leagues from the ſhore. This too, as far as the diſtance may exceed that which is generally allowed, reſts on a like foundation, ſtrengthened, perhaps, by the local facility of ſmuggling, and the peculiar intereſt which Great Britain has in preventing a practice affecting ſo deeply her whole ſyſtem of revenue, commerce, and manufactures: whilſt the limitation itſelf to four leagues, neceſſarily implies, that beyond that diſtance no territorial juriſdiction is aſſumed.

But whatever may be the origin or the value of theſe prerogatives over foreign flags in one caſe, and within a limited portion of theſe ſeas in another, it is obvious that neither of them will be violated by the exemption of American veſſels from impreſſments, which are no wiſe connected with either; having never been made on the pretext either of withholding the wonted homage to the Britiſh flag, or of ſmuggling in defiance of Britiſh laws.

This extenſion of the Britiſh law to four leagues from the ſhore, is inferred from an act of parliament paſſed in the year 1736 (9 G. 2 c. 35) the terms of which comprehend all veſſels foreign as well as Britiſh. It is poſſible however, that the former are conſtructively excepted. Should your inquiries aſcertain this to be the caſe, you will find yourſelf on better ground, than the conceſſion here made.

With reſpect to the compliment paid to the Britiſh flag, it is alſo poſſible that more is here conceded than you may find to be neceſſary. After the peace of 1783 this compliment was peremptorily withheld by France, in ſpite of the remonſtrances of Great Britain; and it remains for your inquiry, whether it did not continue to be refuſed, notwithſtanding the failure at Amiens to obtain from Great Britain a formal renunciation of the claim.

From every view of the ſubject, it is reaſonable to expect that the exception of the narrow ſeas, from the ſtipulation againſt impreſſments, will not be inflexibly maintained. Should it be ſo, your negotiation will be at an end. The truth is, that ſo great a proportion of our trade, direct and circuitous, paſſes through thoſe channels, and ſuch is its peculiar expoſure in them to the

wrong practiſed, that with ſuch an exception, any remedy would be very partial. And we can never conſent to purchaſe a partial remedy, by confirming a general evil, and by ſubjecting ourſelves to our own reproaches, as well as to thoſe of other nations.

Third, It appears, as well by a letter from Mr. Thorntorn, in anſwer to one from me, of both which copies are encloſed, as from converſations with Mr. Merry, that the facility which would be given, particularly in the Britiſh channel, by the immunity claimed for American veſſels, to the eſcape of traitors, and the deſertion of others whoſe ſervices in the time of war may be particularly important to an enemy, forms one of the pleas for the Britiſh practice of examining American crews, and will be one of the objections to a formal relinquiſhment of it.

This plea, like all others, admits a ſolid and ſatisfactory reply. In the firſt place, if it could prevail at all againſt the neutral claim, it would authorize the ſeizure of the perſons deſcribed only, and in veſſels bound to a hoſtile country only; whereas the practice of impreſſing is applied to perſons, few or any of whom are alleged to be of either deſcription, and to veſſels whitherſoever bound, even to Great Britain herſelf. In the next place, it is not only a preference of a ſmaller object on one ſide to a greater object on the other; but a ſacrifice of right on one ſide to expediency on the other ſide.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, COMMUNICATING DISCOVERIES MADE IN EXPLORING THE MISSOURI, RED RIVER, AND WASHITA, BY CAPTAINS LEWIS AND CLARK, DR. SIBLEY, AND MR. DUNBAR, WITH A STATISTICAL ACCOUNT OF THE COUNTRIES ADJACENT.

To the Senate and Houſe of Repreſentatives of the United States.

IN purſuance of a meaſure propoſed to Congreſs by a meſſage of January 18th, 1803, and ſanctioned by their appropriation for carrying it into execution, captain Meriwether Lewis, of the firſt regiment of infantry, was appointed, with a party of men, to explore the river Miſſouri, from its mouth to its ſource, and, croſſing the highlands by the ſhorteſt portage, to ſeek the beſt water communication thence to the Pacific ocean; and lieutenant Clarke was appointed ſecond in command. They were to enter into conference with the Indian nations on their route, with a view to the eſtabliſhment of commerce with them. They entered the Miſſouri, May 14th, 1804, and on the firſt of November took up their winter quarters near the Mandan towns, 1609 miles above the mouth of the river, in latitude 47 deg. 21 min. 47 ſec. north, and longitude 99 deg. 24 min. 45 ſec. weſt from Greenwich. On the 8th of April, 1805, they proceeded up the river in purſuance of the objects preſcribed to them. A letter of the preceding day, April 7, from captain Lewis, is herewith communicated. During his ſtay among the Mandans, he had been able to lay down the Miſſouri, according to courſes and diſtances taken on his paſſage up it, corrected by frequent obſervations of longitude and latitude; and to add to the actual ſurvey of this portion of the river, a general map of the country between the Miſſiſippi and Pacific, from the 34th to the 54th degrees of latitude. Theſe additions are from information collected from Indians with whom he had opportunities of communicating, during his journey and reſidence with them. Copies of this map are now preſented to both houſes of Congreſs. With theſe I communicate alſo a ſtatiſtical view, procured and forwarded by him, of the Indian nations inhabiting the territory of Louiſiana, and the countries adjacent to its northern and weſtern borders; of their commerce, and of other intereſting circumſtances reſpecting them.

In order to render the ſtatement as complete as may be, of the Indians inhabiting the country weſt of the Miſſiſippi, I add doctor Sibley's account of thoſe reſiding in and adjacent to the territory of Orleans.

I communicate alſo, from the ſame perſon, an account of the Red river, according to the beſt information he had been able to collect.

Having been diſappointed, after conſiderable preparation, in the purpoſe of ſending an exploring party up that river, in the ſummer of 1804, it was thought beſt to employ the autumn of that year in procuring a knowledge of an intereſting branch of the river called the Waſhita. This was undertaken under the direction of Mr. Dunbar, of Natchez, a citizen of diſtinguiſhed ſcience, who had aided, and continues to aid us, with his diſintereſted and valuable ſervices in the proſecution of theſe enterprizes. He aſcended the river to the remarkable hot ſprings near it, in latitude 34 deg. 31 min. 4 ſec. 16, longitude 92 deg. 50 min. 45 ſec. weſt from Greenwich, taking its courſes and diſtances, and correcting them by frequent celeſtial obſervations. Extracts from his obſervations, and copies of his map of the river, from its mouth to the hot ſprings, make part of the preſent communications. The examination of the Red river itſelf is but now commencing.

TH: JEFFERSON.

February, 19, 1806.

Extract of a letter from Captain Meriwether Lewis to the Preſident of the United States, dated

FORT MANDAN, *April*, 17*th*, 1805.

Dear Sir,

HEREWITH encloſed you will receive an invoice of certain articles, which I have forwarded to you from this place. Among other articles you will obſerve, by reference to the invoice, 67 ſpecimens of earths, ſalts, and minerals, and 60 ſpecimens of plants; theſe are accompanied by their reſpective labels, expreſſing the days on which obtained, places where found, and alſo their virtues and properties, when known. By means of theſe labels, reference may be made to the chart of the Miſſouri, forwarded to the ſecretary of war, on which the encampment of each day has been carefully marked: thus the places at which theſe ſpecimens have been obtained, may be eaſily pointed out, or again found, ſhould any of them prove valuable to the community on further inveſtigation.

You will alſo receive herewith encloſed, a part of capt. Clarke's private journal; the other part you will find encloſed in a ſeparate tin box. This journal will ſerve to give you the daily details of our progreſs and tranſactions.

I ſhall diſpatch a canoe with three perhaps four perſons from the extreme navigable point of the Miſſouri, or the portage between this river and the Columbia river, as either may firſt happen. By the return of this canoe, I ſhall ſend you my journal, and ſome one or two of the beſt of thoſe kept by my men. I have ſent a journal kept by one of the ſergeants, to captain Stoddard, my agent at St.Louis, in order as much as poſſible to multiply the chances of ſaving ſomething. We have encouraged our men to keep journals, and ſeven of them do, to whom in this reſpect we give every aſſiſtance in our power.

I have tranſmitted to the ſecretary at war every information relative to the geography of the country which we poſſeſs, together with a view of the Indian nations, containing information relative to them, on thoſe points with which I conceived it important that the government ſhould be informed.

By reference to the muſter rolls forwarded to the war department, you will ſee the ſtate of the party; in addition to which we have two interpreters, one negro man, ſervant to capt. Clarke; one Indian woman, wife to one of the interpreters, and a Mandan man, whom we take with a view to reſtore peace

between the Snake Indians, and those in this neighborhood, amounting in total with ourselves to 33 persons. By means of the interpreters and Indians, we shall be enabled to converse with all the Indians that we shall probably meet with on the Missouri.

I have forwarded to the secretary at war my public accounts, rendered up to the present day. They have been much longer delayed than I had any idea they would have been, when we departed from the Illinois; but this delay, under the circumstances which I was compelled to act, has been unavoidable. The provision peroque and her crew, could not have been dismissed in time to have returned to St. Louis last fall, without evidently, in my opinion, hazarding the fate of the enterprize in which I am engaged; and I therefore did not hesitate to prefer the censure that I may have incurred by the detention of these papers, to that of risking in any degree the success of the expedition. To me the detention of these papers has formed a serious source of disquiet and anxiety; and the recollection of your particular charge to me on this subject, has made it still more poignant. I am fully aware of the inconvenience which must have arisen to the war department, from the want of these vouchers, previous to the last session of congress, but how to avert it was out of my power to devise.

From this place we shall send the barge and crew early to-morrow morning, with orders to proceed as expeditiously as possible to St. Louis; by her we send our dispatches, which I trust will get safe to hand. Her crew consists of ten able bodied men, well armed and provided with a sufficient stock of provision to last them to St. Louis. I have but little doubt but they will be fired on by the Siouxs; but they have pledged themselves to us that they will not yield while there is a man of them living. Our baggage is all embarked on board six small canoes, and two peroques; we shall set out at the same moment that we dispatch the barge. One, or perhaps both of these peroques, we shall leave at the falls of the Missouri, from whence we intend continuing our voyage in the canoes, and a peroque of skins, the frame of which was prepared at Harper's ferry. This peroque is now in a situation which will enable us to prepare it in the course of a few hours. As our vessels are now small, and the current of the river much more moderate, we calculate upon travelling at the rate of 20 or 25 miles per day, as far as the falls of the Missouri. Beyond this point, or the first range of rocky mountains, situated about 100 miles further, any calculation with respect to our daily progress, can be little more than bare conjecture. The circumstance of the Snake Indians possessing large quantities of horses, is much in our favour, as by means of horses the transportation of our baggage will be rendered easy and expeditious over land, from the Missouri to the Columbia river. Should this river not prove navigable where we first meet with it, our present intention is, to continue our march by land down the river, until it becomes so, or to the Pacific ocean. The map, which has been forwarded to the secretary of war, will give you the idea we entertain of the connection of these rivers, which has been formed from the corresponding testimony of a number of Indians, who have visited that country, and who have been separately and carefully examined on that subject, and we therefore think it entitled to some degree of confidence. Since our arrival at this place, we have subsisted principally on meat, with which our guns have supplied us amply, and have thus been enabled to reserve the parched meal, portable soup, and a considerable proportion of pork and flour, which we had intended for the more difficult parts of our voyage. If Indian information can be credited, the vast quantity of game with which the country abounds through which we are to pass, leaves us but little to apprehend from the want of food.

We do not calculate on completing our voyage within the present year, but expect to reach the Pacific ocean, and return as far as the head of the Missouri, or perhaps to this place, before winter. You may therefore expect me to meet you at Monticello in September, 1806. On our return we shall probably pass down the Yellow Stone river, which, from Indian information, waters one of the fairest portions of this continent.

I can see no material or probable obstruction to our progress, and entertain, therefore, the most sanguine hopes of complete success. As to myself, individually, I never enjoyed a more perfect state of good health than I have since we commenced our voyage. My inestimable friend and companion, captain Clarke, has also enjoyed good health generally. At this moment every individual of the party is in good health and excellent spirits, zealously attached to the enterprize, and anxious to proceed; not a whisper of discontent or murmur is to be heard among them; but all in unison act with the most perfect harmony. With such men I have every thing to hope, and but little to fear.

Be so good as to present my most affectionate regard to all my friends, and be assured of the sincere and unalterable attachment of

Your most obedient servant,

MERIWETHER LEWIS,

Capt. of 1st U. S. regiment of infantry.

TH: JEFFERSON,

President of the United States.

We very much regret, that it is not in our power to insert the communication from Captains LEWIS & CLARK; *it is extremely long and is quite as unintelligible without the assistance of a map: besides it would be very uninteresting to almost every reader, and therefore we shall proceed to the documents from Dr.* SIBLEY *and Mr.* DUNBAR, *which are mentioned in the President's message. These may gratify a variety of readers, besides the student of geography, and may assist the makers of maps in correcting the boundaries, divisions, &c. of the province of Louisiana.*

HISTORICAL SKETCHES OF THE SEVERAL INDIAN TRIBES IN LOUISIANA, SOUTH OF THE ARKANSA RIVER, AND BETWEEN THE MISSISSIPPI AND RIVER GRAND.

CADDOQUES, live about 35 miles west of the main branch of Red river, on a bayau or creek, called by them Sodo, which is navigable for peroques only within about six miles of their village, and that only in the rainy season. They are distant from Natchitoches about 120 miles, the nearest route by land, and in nearly a north west direction. They have lived where they now do only five years. The first year they moved there the small pox got amongst them and destroyed nearly one half of them; it was in the winter season, and they practised plunging into the creek on the first appearance of the eruption, and died in a few hours. Two years ago they had the measles, of which several more of them died. They formerly lived on the south bank of the river, by the course of the river 375 miles higher up, at a beautiful prairie, which has a clear lake of good water in the middle of it, surrounded by a pleasant and fertile country, which had been the residence of their ancestors from time immemorial.

They have a traditionary tale which not only the Caddos, but half a dozen other smaller nations believe in, who claim the honour of being descendants of the same family: they say, when all the world was drowned by a flood that inundated the whole country, the great spirit placed on an eminence, near this lake, one family of Caddoques, who alone were saved; from that family all the Indians originated.

The French, for many years before Louisiana was transferred to Spain, had, at this place, a fort and some soldiers; several French families were likewise settled in the vicinity, where they had erected a good flour mill with burr stones brought from France. These French families continued there till about

25 years ago, when they moved down and settled at Campti, on the Red river, about 20 miles above Natchitoches, where they now live; and the Indians left it about 14 years ago, on account of a dreadful sickness that visited them. They settled on the river nearly opposite where they now live, on a low place, but were driven thence on account of its overflowing, occasioned by a jam of timber choaking the river at a point below them.

The whole number, of what they call warriors of the ancient Caddo nation, is now reduced to about 100, who are looked upon somewhat like knights of Malta, or some distinguished military order. They are brave, despise danger or death, and boast that they have never shed white man's blood. Besides these, there are of old men and strangers who live amongst them, nearly the same number, but there are 40 or 50 more women than men. This nation has great influence over the Yattassees, Nandakoes, Nabadaches, Inies or Yachies, Nagogdoches, Keychies, Adaize and Natchitoches, who all speak the Caddo language, look up to them as their fathers, visit and intermarry among them, and join them in all their wars.

The Caddoques complain of the Choctaws encroaching upon their country; call them lazy, thievish, &c. There has been a misunderstanding between them for several years, and small hunting parties kill one another when they meet.

The Caddos raise corn, beans, pumpkins, &c. but the land on which they now live is prairie, of a white clay soil, very flat: their crops are subject to injury either by too wet or too dry a season. They have horses, but few of any other domestic animal, except dogs; most of them have guns and some have rifles: they and all the other Indians that we have any knowledge of, are at war with the Osages.

The country, generally, round the Caddos is hilly, not very rich; growth a mixture of oak, hickory and pine, interspersed with prairies, which are very rich generally, and fit for cultivation. There are creeks and springs of good water frequent.

YATTASSEES, live on Bayau Pierre, (or stony creek) which falls into Red river, western division, about 50 miles above Natchitoches. Their village is in a large prairie about half way between the Caddoques and Natchitoches, surrounded by a settlement of French families. The Spanish government, at present, exercise jurisdiction over this settlement, where they keep a guard of a non-commissioned officer and eight soldiers.

A few months ago, the Caddo chief with a few of his young men were coming to this place to trade, and came that way which is the usual road. The Spanish officer of the guard threatened to stop them from trading with the Americans, and told the chief if he returned that way with the goods he should take them from him: The chief and his party were very angry, and threatened to kill the whole guard, and told them that that road had been always theirs, and that if the Spaniards attempted to prevent their using it as their ancestors had always done, he would soon make it a bloody road. He came here, purchased the goods he wanted, and might have returned another way and avoided the Spanish guard, and was advised to do so; but he said he would pass by them, and let them attempt to stop him if they dared. The guard said nothing to him as he returned.

This settlement, till some few years ago, used to belong to the district of Natchitoches, and the rights to their lands given by the government of Louisiana, before it was ceded to Spain. Its now being under the government of Taxus, was only an agreement between the commandant of Natchitoches and the commandant of Nagogdoches. The French formerly had a station and factory there, and another on the *Sabine* river, nearly one hundred miles north west from the Bayau Pierre settlement. The Yattassees now say the French used to be their people and now the Americans.

But of the ancient Yattassees there are but eight men remaining, and twenty-five women, besides children; but a number of men of other nations have intermarried with them and live together. I paid a visit at their village last summer; there were about forty men of them altogether: their original language differs from any other; but now, all speak Caddo. They live on rich,

land, raise plenty of corn, beans, pumpkins, tobacco, &c. have horses, cattle, hogs and poultry.

NANDAKOES, live on the Sabine river, 60 or 70 miles to the westward of the Yattassees, near where the French formerly had a station and factory. Their language is Caddo: about forty men only of them remaining. A few years ago they suffered very much by the small pox. They consider themselves the same as Caddos, with whom they intermarry, and are, occasionally, visiting one another in the greatest harmony: have the same manners, customs and attachments.

ADAIZE, live about 40 miles from Natchitoches, below the Yattassees, on a lake called Lac Macdon, which communicates with the division of Red river that passes by Bayau Pierre. They live at or near where their ancestors have lived from time immemorial. They being the nearest nation to the old Spanish fort, or Mission of Adaize, that place was named after them, being about 20 miles from them, to the south. There are now about 20 men of them remaining, but more women. Their language differs from all other, and is so difficult to speak or understand, that no nation can speak ten words of it; but they all speak Caddo, and most of them French,, to whom they were always attached, and joined them against the Natchez Indians. After the massacre of Natchez, in 1798, while the Spaniards occupied the post of Adaize, their priests took much pains to proselyte these Indians to the Roman Catholic religion, but, I am informed, were totally unsuccessful.

ALICHE (commonly pronounced Eyeish) live near Nacogdoches, but are almost extinct, as a nation, not being more than 25 souls of them remaining: four years ago the small pox destroyed the greater part of them. They were, some years ago, a considerable nation, and lived on a bayau which bears their name, which the road from Natchitoch to Nacogdoches crosses, about 12 miles west of Sabine river, on which a few French and American families are settled. Their native language is spoken by no other nation, but they speak and understand Caddo, with whom they are in amity, often visiting one another.

KEYES, or KEYCHIES, live on the east bank of Trinity river, a small distance above where the road from Natchitoches to St. Antoine crosses it. There are of them 60 men: have their peculiar native language, but mostly now speak Caddo; intermarry with them, and live together in much harmony, formerly having lived near them, on the head waters of the Sabine. They plant corn and some other vegetables.

INIES, or TACHIES (called indifferently by both names.) From the latter name the name of the province of Tachus or Taxus is derived. The Inies live about 25 miles west of Natchitoches, on a small river a branch of Sabine, called the Naches. They are, like all their neighbors, diminishing; but have now 80 men. Their ancestors, for a long time, lived where they now do. Their language the same as that of the Caddos, with whom they are in great amity. These Indians have a good character, live on excellent land, and raise corn to sell.

NABEDACHES, live on the west side of the same river, about fifteen miles above them; have about the same number of men; speak the same language; live on the best of land; raise corn in plenty; have the same manners, customs and attachments.

BEDIES, are on the Trinity river, about 60 miles to the southward of Nacogdoches; have 100 men; are good hunters for deer, which are very large and plenty about them; plant, and make good crops of corn; language differs from all other, but speak Caddo; are a peaceable, quiet people, and have an excellent character for their honesty and punctuality.

ACCOKESAWS. Their ancient town and principal place of residence is on the west side of Colerado or Rio Rouge, about 200 miles south west of Nacogdoches, but often change their place of residence for a season; being near the bay make great use of fish, oysters, &c. kill a great many deer, which are the largest and fattest in the province; and their country is universally said to be inferior to no part of the province in soil, growth of timber, goodness of water, and beauty of surface; have a language peculiar to themselves, but have a mode of communication by dumb signs, which they all un-

derstand; number about 80 men. 30 or 40 years ago the Spaniards had a mission here, but broke it up, or moved it to Nacogdoches. They talk of resettling it, and speak in the highest terms of the country.

MAYES, live on a large creek called St. Gabriel, on the bay of St. Bernard, near the mouth of Gaudaloupe river: are estimated at 200 men; never at peace with the Spaniards, towards whom they are said to possess a fixed hatred, but profess great friendship for the French, to whom they have been strongly attacked since Mons. de Salle landed in their neighborhood. The place where there is a talk of the Spaniards opening a new port, and making a settlement, is near them; where the party, with the governor of St. Antoine, who were there last fall to examine it, say they found the remains of a French block house; some of the cannon now at Labahie are said to have been brought from that place, and known by the engravings now to be seen on them.

The French speak highly of these Indians for their extreme kindness and hospitality to all Frenchmen who have been amongst them: have a language of their own, but speak Attakapa, which is the language of their neighbors the Carankouas; they have likewise a way of conversing by signs.

CARANKOUAS, live on an island, or peninsula, in the bay of St. Bernard, in length about ten miles, and five in breadth; the soil is extremely rich and pleasant; on one side of which there is a high bluff, or mountain of coal, which has been on fire for many years, affording always a light at night, and a strong, thick smoke by day, by which vessels are sometimes deceived and lost on the shoaly coast, which shoals are said to extend nearly out of sight of land. From this burning coal there is emitted a gummy substance the Spainards call *cheta*, which is thrown on the shore by the surf, and collect-by them in considerable quantities, which they are fond of chewing; it has the appearance and consistence of pitch, of a strong, aromatic, and not disagreeable smell. These Indians are irreconcileable enemies to the Spaniards, always at war with them, and kill them whenever they can. The Spaniards call them cannibals, but the French give them a different character, who have always been treated kindly by them since Mons de. Salle and his party were in their neighborhood. They are said to be 500 men strong, but I have not been able to estimate their numbers from any very accurate information; in a short time expect to be well informed. They speak the Attakapa language; are friendly and kind to all other Indians, and, I presume, are much like all others, notwithstanding what the Spaniards say of them, for nature is every where the same.

Last summer an old Spaniard came to me from Labahie, a journey of about 500 miles, to have a barbed arrow taken out of his shoulder, that one of these Indians had shot in it. I found it under his shoulder-blade, near nine inches, and had to cut a new place to get at the point of it, in order to get it out the contrary way from that in which it had entered: it was made of a piece of an iron hoop, with wings like a fluke and an inche.

CANCES, are a very numerous nation, consisting of a great many different tribes, occupying different parts of the country, from the bay of St. Bernard, cross river Grand, towards La Vera Cruz. They are not friendly to the Spaniards, and generally kill them when they have an opportunity. They are attached to the French; are good hunters, principally using the bow. They are very particular in their dress, which is made of neatly dressed leather; the women wear a long loose robe, resembling that of a Franciscan friar; nothing but their heads and feet are to be seen. The dress of the men is straight leather leggings, resembling pantaloons, and a leather hunting shirt or frock. No estimate can be made of their number.

Thirty or forty years ago the Spaniards used to make slaves of them when they could take them; a considerable number of them were brought to Natchitoches and sold to the French inhabitants at 40 or 50 dollars a head, and a number of them are still living here, but are now free. About 20 years ago an order came from the king of Spain that no more Indians should be made slaves, and those that were enslaved should be emancipated; after which some of the women who had been servants in good families, and taught spin-

ning, sewing, &c. as well as managing household affairs, married maitiffs of the country, and became respectable, well behaved women, and have now growing up decent families of children : have a language peculiar to themselves, and are understood by signs, by all others. They are in amity with all other Indians except the Hietans.

TANKAWAYS (or TANKS, as the French call them) have no land, nor claim the exclusive right to any, nor have any particular place of abode, but are always moving, alternately occupying the country watered by the Trinity, Braces, and Colerado, towards St. a Fé. Resemble, in their dress, the Cances and Hietans, but all in one horde or tribe. Their number of men is estimated at about 200 ; are good hunters ; kill buffaloe and deer with the bow ; have the best breed of horses ; are alternately friends and enemies of the Spaniards. An old trader lately informed me that he had received 5000 deer skins from them in one year, exclusive of tallow, rugs and tongues. They plant nothing, but live upon wild fruits and flesh : are strong, athletic people, and excellent horsemen.

TAWAKENOES, or THREE CANES. They are called by both names indifferently ; live on the west side of the Braces, but are often, for some months at a time, lower down than their usual place of residence, in the great prairie at the Tortuga, or Turtle, called so from its being a hill in the prairie, which at a distance appears in the form of a turtle, upon which there are some remarkable springs of water. Their usual residence is about 200 miles to the westward of Nacogdoches, towards St. a Fè. They are estimated at 200 men : are good hunters ; have guns, but hunt principally with the bow : are supplied with goods from Nacogdoches, and pay for them in rugs, tongues, tallow and skins. They speak the same language of the Panis, or Towiaches, and pretend to have descended from the same ancestors.

PANIS, or TOWIACHES. The French call them Panis, and the Spaniards Towiaches ; the latter is the proper Indian name. They live on the south bank of Red River ; by the course of the river upwards of 800 miles above Natchitoches, and by land, by the nearest path, is estimated at about 340. They have two towns near together ; the lower town, where the chief lives, is called Niteheta, and the other is called Towaahach. They call their present chief the Great Bear. They are at war with the Spaniards, but friendly to those French and American hunters who have lately been among them. They are likewise at war with the Osages, as are every other nation. For many hundreds of miles round them, the country is rich prairie, covered with luxuriant grass, which is green summer and winter, with skirts of wood on the river bank, by the springs and creeks.

They have many horses and mules. They raise more corn, pumpkins, beans, and tobacco, than they want for their own consumption ; the surplusage they exchange with the Hietans for buffaloe rugs, horses and mules : the pumpkins they cut round in their shreads, and when it is in a state of dryness that it is so tough it will not break, but bend, they plait and work it into large mats, in which state they sell it to the Hietans, who, as they travel, cut off and eat it as they want it. Their tobacco they manufacture and cut as fine as tea, which is put into leather bags of a certain size, and is likewise an article of trade. They have but few guns, and very little ammunition ; what they have they keep for war, and hunt with the bow. Their meat is principally buffaloe ; seldom kill a deer, though they are so plenty they come into their villages, and about their houses, like a domestic animal : elk, bear, wolves, antelope and wild hogs are likewise plenty in their country, and white rabbits, or hares, as well as the common rabbit : white bears sometimes come down amongst them, and wolves of all colours. The men generally go entirely naked, and the women nearly so, only wearing a small flap of a piece of a skin.—— They have a number of Spaniards amongst them, of fair complexion, taken from the settlement of St. a Fé when they were children, who live as they do, and have no knowledge of where they came from. Their language differs from that of any other nation, the Tawakenoes excepted. Their present number of men is estimated at about 400. A great number of them, four years ago, were swept off by the small pox.

HIETANS, or Comanches, who are likewise called by both names, have no fixed place of residence; have neither towns nor villages; divided into so many hordes or tribes, that they have scarcely any knowledge of one another. No estimate of their numbers can well be made. They never remain in the same place more than a few days, but follow the buffaloe, the flesh of which is their principal food. Some of them occasionally purchase of the Panis, corn, beans and pumpkins; but they are so numerous, any quantity of these articles the Panis are able to supply them with, must make but a small proportion of their food. They have tents made of neatly dressed skins, fashioned in form of a cone, sufficiently roomy for a family of ten or twelve persons; those of the chiefs will contain occasionally 50 or 60 persons. When they stop, their tents are pitched in very exact order, soas to form regular streets and squares, which in a few minutes has the appearance of a town, raised, as it were, by inchantment; and they are equally dexterous in striking their tents and preparing for a march when the signal is given; to every tent two horses or mules are allotted, one to carry the tent, and another the poles or sticks, which are neatly made of red cedar; they all travel on horseback. Their horses they never turn loose to graze, but always keep them tied with a long cabras or halter; and every two or three days they are obliged to move on account of all the grass near them being eaten up, they have such numbers of horses. They are good horsemen and have good horses, most of which are bred by themselves, and being accustomed from when very young to be handled, they are remarkably docile and gentle. They sometimes catch wild horses, which are every where amongst them in immense droves. They hunt down the buffaloe on horseback, and kill them either with the bow or a sharp stick like a spear, which they carry in their hands. They are generally at war with the Spaniards, often committing depredations upon the inhabitants of St. a Fé and St. Antoine; but have always been friendly and civil to any French or Americans who have been amongst them. They are strong and athletic, and the elderly men as fat as though they had lived upon English beef and porter.

It is said the man who kills a buffaloe, catches the blood and drinks it while warm; they likewise eat the liver raw, before it is cold, and use the gaul by way of sauce. They are, for savages, uncommonly cleanly in their persons: the dress of the women is a long, loose robe, that reaches from their chin to the ground, tied round with a fancy sash, or girdle, all made of neatly dressed leather, on which they paint figures of different colours and significations: the dress of the men is, close leather pantaloons, and a hunting shirt or frock of the same. They never remain long enough in the same place to plant any thing: the small Cayenne pepper grows spontaneously in the country, with which, and some wild herbs and fruits, particularly a bean that grows in great plenty on a small tree resembling a willow, called masketo, the women cook their buffaloe beef in a manner that would be grateful to an English squire. They alternately occupy the immense space of country from the Trinity and Braces, crossing the Red river, to the heads of Arkansa and Missouri, to river Grand, and beyond it, about St. a Fé, and over the dividing ridge on the waters of the Western ocean, where they say they have seen large peroques, with masts to them; in describing which, they make a drawing of a ship, with all its sails and rigging; and they describe a place where they have seen vessels ascending a river, over which was a draw bridge that opened to give them a passage. Their native language of sounds differs from the language of any other nation, and none can either speak or understand it; but they have a language by signs that all Indians understand, and by which they converse much among themselves. They have a number of Spanish men and women among them, who are slaves, and who they made prisoners when young.

An elderly gentleman now living at Natchitoches, who, some years ago, carried on a trade with the Hietans, a few days ago related to me the following story:

About 20 years ago a party of these Indians passed over the river Grand to Chewawa, the residence of the governor-general of what is called the five internal provinces; lay in ambush for an opportunity, and made prisoner the gov-

ernor's daughter, a young lady, going in her coach to mass, and brought her off. The governor sent a message to him (my informant) with a thousand dollars, for the purpose of recovering his daughter: he immediately dispatched a confidential trader, then in his employ, with the amount of the 1000 dollars in merchandize, who repaired to the nation, found her, and purchased her ransom; but to his great surprise, she refused to return with him to her father, and sent by him the following message: that the Indians had disfigured her face by tattooing it according to their fancy and ideas of beauty, and a young man of them had taken her for his wife, by whom she believed herself pregnant; that she had become reconciled to their mode of life, and was well treated by her husband; and that she should be more unhappy by returning to her father, under these circumstances, than by remaining where she was. Which message was conveyed to her father, who rewarded the trader by a present of 300 dollars more for his trouble and fidelity; and his daughter is now living with her Indian husband in the nation, by whom she has three children.

NATCHITOCHES, formerly lived where the town of Natchitoches is now situated, took its name from them. An elderly French gentleman, lately informed me, he remembered when they were 600 men strong. I believe it is now 98 years since the French first established themselves at Natchitoch; ever since, these Indians have been their steady and faithful friends. After the massacre of the French inhabitants of Natchez, by the Natchez Indians, in 1728, those Indians fled from the French, after being reinforced, and came up Red River, and camped about six miles below the town of Natchitoches, near the river, by the side of a small lake of clear water, and erected a mound of considerable size, where it now remains. Monsieur St. Dennie, a French Canadian, was then commandant at Natchitoches; the Indians called him the Big Foot, were fond of him, for he was a brave man. St. Dennie, with a few French soldiers, and what militia he could muster, joined by the Natchitoches Indians, attacked the Natchez in their camp, early in the morning; they defended themselves desperately for six hours, but were at length totally defeated by St. Dennie, and what of them that were not killed in battle, were drove into the lake, where the last of them perished, and the Natchez, as a nation became extinct. The lake is now called by no other name than the Natchez lake. There are now remaining of the Natchitoches, but 12 men and 19 women, who live in a village about 25 miles by land above the town which bears their name, near a lake, called by the French *Lac de Muire*. Their original language is the same as the Yattassee, but speak Caddo, and most of them French. The French inhabitants have great respect for this nation, and a number of very decent families have a mixture of their blood in them. They claim but a small tract of land, on which they live, and I am informed, have the same rights to it from government, that other inhabitants in their neighborhood have. They are gradually wasting away; the small pox has been their great destroyer. They still preserve their Indian dress and habits; raise corn and those vegetables common in their neighborhood.

BOLUXAS, are emigrants from near Pensacola. They came to Red River about 42 years ago, with some French families, who left that country about the time Pensacola was taken possession of by the English. They were then a considerable numerous tribe, and have generally embraced the Roman Catholic religion, and were ever highly esteemed by the French. They settled first at Avoyall, then moved higher up to Rapide Bayau, and from thence to the mouth of Rigula de Bondieu, a division of Red River, about 40 miles below Natchitoch, where they now live, and are reduced to about 30 in number. Their native language is peculiar to themselves, but speak Mobilian, which is spoken by all the Indians from the east side of the Mississippi. They are honest, harmless and friendly people.

APPALACHES, are likewise emigrants from West-Florida, from off the river whose name they bear; came over to Red river about the same time the Boluxas did, and have, ever since, lived on the river, above Bayau Rapide. No nation have been more highly esteemed by the French inhabitants; no complaints against them are ever heard; there are only 14 men remaining; have their own language, but speak French and Mobilian.

ALLIBAMIS, are likewise from West-Florida, off the Allibami river, and came to Red river about the same time of the Boluxas and Appalaches. Part of them have lived on Red river, about 16 miles above the Bayau Rapide, till last year, when most of this party, of about 30 men, went up Red river, and have settled themselves near the Caddoques, where, I am informed, they last year made a good crop of corn. The Caddos are friendly to them, and have no objection to their settling there. They speak the Creek and Chactaw languages, and Mobilian ; most of them French, and some of them English.

There is another party of them, whose village is on a small creek, in Appelousa district, about 30 miles north west from the church of Appelousa. They consist of about 40 men. They have lived at the same place ever since they came from Florida ; are said to be increasing a little in numbers, for a few years past. They raise corn, have horses, hogs and cattle, and are harmless, quiet people.

CONCHATTAS, are almost the same people as the Allibamis, but came over only ten years ago ; first lived on Bayau Chico, in Appelousa district, but, four years ago, moved to the river Sabine, settled themselves on the east bank, where they now live, in nearly a south direction from Natchitoch, and distant about 80 miles. They call their number of men 160, but say, if they were all together, they would amount to 200. Several families of them live in detached settlements. They are good hunters, and game is plenty about where they are. A few days ago, a small party of them were here, consisting of 15 persons, men, women and children, who were on their return from a bear hunt up the Sabine. They told me they had killed 118 ; but this year an uncommon number of bears have come down. One man alone, on Sabine, during the summer and fall, hunting, killed 400 deer, sold his skins at 40 dollars a hundred. The bears this year are not so fat as common ; they usually yield from eight to twelve gallons of oil, each of which never sells for less than a dollar a gallon, and the skin a dollar more ; no great quantity of the meat is saved ; what the hunters don't use when out, they generally give to their dogs. The Conchettas are friendly with all other Indians, and speak well of their neighbours the Carankouas, who, they say, live about 80 miles south of them, on the bay, which, I believe, is the nearest point to the sea from Natchitoches. A few families of Chactaws have lately settled near them from Bayau Beuf. The Conchattas speak Creek, which is their native language, and Chactaw, and some of them English, and one or two of them can read it a little.

PACANAS, are a small tribe of about 30 men, who live on the Quelqueshoe river, which falls into the bay between Attakapa and Sabine, which heads in a prairie called Cooko prairie, about 40 miles south west of Natchitoches. These people are likewise emigrants from West-Florida, about 40 years ago. Their village is about 50 miles south east of the Conchattas ; are said to be increasing a little in number ; quiet, peaceable and friendly people. Their own language differs from any other, but speak Mobilian.

ATTAKAPAS. This word, I am informed, when translated into English, means man-eater, but is no more applicable to them than any other Indians. The district they live in is called after them. Their village is about 20 miles to the westward of the Attakapa church, towards Quelqueshoe. Their number of men is about 50, but some Tunicas and Humas, who have married in their nation and live with them, makes them altogether about 80. They are peaceable and friendly to every body ; labour, occasionally, for the white inhabitants ; raise their own corn ; have cattle and hogs. Their language and the Carankouas is the same. They were, or near, where they now live, when that part of the country was first discovered by the French.

APPALOUSAS. It is said the word Appalousa, in the Indian language, means black head, or black skull. They are aborigines of the district called by their name. Their village is about 15 miles west from the Appelousa church; have about 40 men. Their native language differs from all other; understand Attakapa and speak French; plant corn; have cattle and hogs.

TUNICAS. These people lived formerly on the Bayau Tunica, above Point Coupee, on the Mississippi, east side; live now at Avoyall; do not at present exceed 25 men. Their native language is peculiar to themselves, but speak Mobilian; are employed, occasionally, by the inhabitants as boatmen, &c. in amity with all other people, and gradually diminishing in numbers.

PASCAGOLAS, live in a small village on Red river, about 60 miles below Natchitoches; are emigrants from Pascagola river, in West-Florida; 25 men only of them remaining; speak Mobilian, but have a language peculiar to themselves; most of them speak and understand French. They raise good crops of corn, and garden vegetables; have cattle, horses, and poultry plenty. Their horses are much like the poorer kind of French inhabitants on the river, and appear to live about as well.

TENISAWS, are likewise emigrants from the Tenesau river, that falls into the bay of Mobile; have been on Red river about 40 years; are reduced to about 25 men. Their village is within one mile of the Pascagolas, on the opposite side, but have lately sold their land, and have, or are about moving, to Bayau Beauf, about 25 miles south from where they lately lived: all speak French and Mobilian, and live much like their neighbours the Pascagolas.

CHACTOOS, live on Bayau Beauf, about 10 miles to the southward of Bayau Rapide, on Red river, towards Appalousa; a small, honest people; are aborigines of the country where they live; of men about 30; diminishing: have their own peculiar tongue; speak Mobilian. The lands they claim on Bayau Beauf are inferiour to no part of Louisiana in depth and richness of soil, growth of timber, pleasantness of surface and goodness of water. The Bayau Beauf falls into the Chaffeli, and discharges, through Appelousa and Attakapa, into Vermilion Bay.

WASHAS. When the French first came into the Mississippi, this nation lived on an island to the south west of New-Orleans, called Barritaria, and were the first tribe of Indians they became acquainted with, and were always friends. They afterwards lived on Bayau La Fosh; and, from being a considerable nation, are now reduced to five persons only, two men and three women, who are scattered in French families; have been many years extinct, as a nation, and their native language is lost.

CHACTAWS. There are a considerable number of this nation on the west side of the Mississippi, who have not been home for several years. About 12 miles above the post on Oacheta, on that river, there is a small village of them of about 30 men, who have lived there for several years, and made corn; and likewise on Bayau Chico, in the northern part of the district of Appalousa, there is another village of them of about 50 men, who have been there for about 9 years, and say they have the governour of Louisiana's permission to settle there. Besides these, there are rambling hunting parties of them to be met with all over Lower Louisiana. They are at war with the Caddoques, and liked by neither red nor white people.

ARKENSAS, live on the Arkansa river, south side, in three villages, about 12 miles above the post, or station. The name of the first village is *Tawanima*, second *Ouf'tu*, and the third *Ocapa*; in all, it is believed, they

do not at present exceed 100 men, and diminishing. They are at war with the Osages, but friendly with all other people, white and red; are the original proprietors of the country on the river, to all which they lay claim, for about 300 miles above them, to the junction of the river Cadwa with Arkensa; above this fork the Osages claim. Their language is Osage. They generally raise corn to sell; are called honest and friendly people.

The forementioned are all the Indian tribes that I have any knowledge of, or can obtain an account of, in Louisiana, south of the river Arkensa, between the Mississippi and the river Grand. At Avoyall there did live a considerable tribe of that name, but, as far as I can learn, have been extinct for many years, two or three women excepted, who did lately live among the French inhabitants on Washita.

There are a few of the Humas still living on the east side of the Mississippi, in Ixsusees parish, below Manchack, but scarcely exist, as a nation.

That there are errours in these sketches is not to be doubted, but in all cases out of my own personal knowledge I have endeavoured to procure the best information, which I have faithfully related; and I am confident any errours that do exist are too unimportant to affect the object for which they are intended.

I am, sir, &c.

(Signed) JOHN SIBLEY,

General H. DEARBORN.

Natchitoches, April 5, 1805.

TO GENERAL HENRY DEARBORN,

SECRETARY OF WAR.

SIR,

YOU request me to give you some account of Red river, and the country adjacent: I will endeavour to comply with your request, to the best of my knowledge and capacity. My personal knowledge of it is only from its mouth, to about 70 or 80 miles above Natchitoches, being, by the course of the river, near 400 miles. After that, what I can say of it is derived from information from others, on whose veracity I have great reliance; principally from Mr. Francis Grappe, who is my assistant and interpreter of Indian languages; whose father was a French officer, and superintendant of Indian affairs, at a post, or station, occupied by France, where they kept some soldiers, and had a factory, previous to the cession of Louisiana to Spain, situate nearly 500 miles, by the course of the river, above Natchitoches, where he, my informant, was born, and lived upwards of 30 years; his time, during which, being occupied alternately as an assistant to his father, an Indian trader and hunter, with the advantage of some learning, and a very retentive memory, acquired an accurate knowledge of the river, as well as the languages of all the different Indian tribes of Louisiana, which, with his having been Indian interpreter for the Spanish government for many years past, and (I believe) deservedly esteemed by the Indians, and all others, a man of strict integrity, has, for many years, and does now possess their entire confidence, and a very extensive influence over them; and I have invariably found, that whatever information I have received from him, has been confirmed by every other intelligent person, having a knowledge of the same, with whom I have conversed.

NOTE. Contrary to geographical rules, as I ascended the river, I called the right bank the northern one, and the left the southern.

THE confluence of Red river with the Mississippi is, by the course of the latter, estimated about 220 miles from New-Orleans. Descending the Mississippi, after passing the Spanish line at the 31st degree of north latitude, it makes a remarkable turn to the westward, or nearly north west, for some distance before you arrive at the mouth of Red river, as though, notwithstanding the immense quantity of its waters already, from its almost numberless tributary streams, it was still desirous of a farther augmentation, by hastening its union with Red river (which, perhaps, is second only in dignity to it) that they might, from thence, flow on and join the ocean together, which, for many leagues, is forced to give place to its mighty current. But there are reasons for believing the Red river did not always unite with the Mississippi, as it does at present; and that no very great length of time has elapsed since the Mississippi left its ancient bed, some miles to the eastward, and took its course westwardly for the purpose of intermarrying with Red river. The mouth of the Chaffeli, which is now, properly speaking, one of the outlets of the river Mississippi to the ocean, is just below, in sight of the junction of Red river with the Mississippi; and from its resemblance to Red river in size, growth on its banks, appearance and texture of soil, and differing from that of the Mississippi, induces strongly the belief that the Chaffeli was once but the continuation of Red river to the ocean, and that it had, in its bed, no connection with the Mississippi. There is no doubt but the Mississippi has alternately occupied different places in the low grounds through which it meanders, almost from the high lands of one side to those of the other, for the average space of near 30 miles. These two great rivers happening to flow, for a distance, through the same mass of swamp, that annually is almost all inundated, it is not extraordinary that their channels should find their way together; the remarkable bend of the Mississippi, at this place, to the westward, seems to have been for the express purpose of forming this union; after which it returns to its former course.

In the month of March, 1803, I ascended Red river, from its mouth to Natchitoches, in an open boat, unless when I chose to land and walk across a point, or by the beauty of the river bank, the pleasantness of its groves, or the variety of its shrubs and flowers, I was invited ashore to gratify or please my curiosity. On entering the mouth of the river I found its waters turgid, of a red colour, and of a brackish taste; and as the Mississippi was then falling, and Red river rising, found a current, from its mouth upwards, varying considerably in places, but averaging about two miles an hour, for the first hundred miles, which, at that time, I found to be about the same in the Mississippi; but, when that river is high, and Red river low, there is very little current in the latter, for sixty or seventy miles: the river, for that distance, is very crooked, increasing the distance, by it, from a straight line, more than two thirds; the general course of it nearly west: that I was able to ascertain, from hearing the morning gun at Fort Adams, for three or four mornings after entering the river, which was not at the greatest height by about fourteen feet; and all the low grounds, for near seventy miles, entirely overflowed like those of the Mississippi, which, in fact, is but a continuation of the same. Some places appeared, by the high water mark on the trees, to overflow not more than two or three feet, particularly the right bank, below the mouth of Black river, and the left bank above it; the growth, on the lowest places, willow and cotton wood, but on the highest, handsome oaks, swamp hickory, ash, grape vines, &c.

I made my calculation of our rate of ascent and distances up the river, by my watch, noting carefully with my pencil the minute of our stops and settings off; the inlets and outlets, remarkable bends in the river, and whatever I observed any way remarkable. About six miles from the mouth of the river, left side, there is a bayau, as it is called, comes in, that communicates

with a lake called lake Long, which, by another bayau, communicates again with the river, through which, when there is a swell in the river, boats can pass, and cut off about 30 miles, being only 14 or 15 through it, and about 45 by the course of the river; and through the lake there is very little or no current; but the passage is intricate and difficult to find; a stranger should not attempt it without a pilot; people have been lost in it for several days; but not difficult for one acquainted; we, having no pilot on board to be depended on, kept the river.

From the mouth of Red river to the mouth of Black river, I made it 31 miles: the water of Black river is clear, and when contrasted with the water of Red river, has a black appearance. From the mouth of Black river, Red river makes a regular twining to the left, for about 18 miles, called the Grand Bend, forming a segment of nearly three fourths of a circle; when you arrive at the bayau that leads into lake Long, which, perhaps, is in a right line, not exceeding 15 miles from the mouth of the river. From Bayau Lake Long, to Avoyall landing, called Baker's landing, I made 33 miles, and the river is remarkably crooked. At this place the guns at Fort Adams are distinctly heard, and the sound appears to be but little south of east. We came through a bayau called Silver Bayau, that cut off, we understand, six miles; it was through the bayau about four miles. Until we arrived at Baker's landing, saw no spot of ground that did not overflow; the high water mark generally from 3 to 15 feet above its banks. After passing Black river, the edge of the banks near the river are highest; the land falls, from the river back. At Baker's landing I went ashore; I understood, from Baker's landing, cross the point, to Le Glass' landing, was only 3 or 4 miles, and by water 15; but I found it 6 at least, and met with some difficulty in getting from where I landed to the high land at Baker's house, for water, though at low water it is a dry cart road, and less than a mile. I found Baker and his family very hospitable and kind; Mr. Baker told me he was a native of Virginia, and had lived there upwards of 30 years. He was living on a tolerable good high piece of land, not prairie, but joining it. After leaving Baker's house, was soon in sight of the prairie, which, I understand, is about 40 miles in circumference, longer than it is wide, very level, only a few clumps of trees to be seen, all covered with good grass. The inhabitants are settled all around the out edge of it, by the woods, their houses facing inwards, and cultivate the prairie land. Though the soil, when turned up by the plough, has a good appearance, what I could discover by the old corn and cotton stalks, they made but indifferent crops; the timber land that I saw cleared and planted, produced the best; the prairie is better for grass than for planting. The inhabitants have considerable stocks of cattle, which appears to be their principal dependence, and I was informed their beef is of a superiour quality: they have likewise good pork; hogs live very well; the timbered country all round the prairie is principally oak, that produces good mast for hogs. Corn is generally scarce; they raise no wheat, for they have no mills. I was informed that the lower end of the prairie, that I did not see, was much the richest land, and the inhabitants lived better, and were more wealthy; they are a mixture of French, Irish and Americans, generally poor and ignorant. Avoyall, at high water, is an island, elevated 30 or 40 feet above high water mark; the quantity of timbered land exceeds that of the prairie, which is likewise pretty level, but scarcely a second quality of soil. La Glass' landing, as it is called, I found about a mile and a half from the upper end of the prairie; the high lands bluff to the river. After leaving this place found the banks rise higher and higher on each side, and fit for settlements; on the right side pine woods sometimes in sight. I left the boat again about eight miles from Le Glass' landing, right side; walked two and a half miles across a point, to a Mr. Hoomes'; round the point is called 16 miles. I found the lands, through which I passed, high,

moderately hilly ; the soil a good second quality, clay ; timber, large oak, hickory, some short leaved pine ; and several small streams of clear running water. This description of lands extended back 5 or 6 miles, and bounded by open pine woods, which continue, for 30 miles, to Ocatahola. I found Mr. Hoomes' house on a high bluff very near the river ; his plantation the same description of land through which I had passed, producing good corn, cotton and tobacco, and he told me he had tried it in wheat, which succeeded well, but having no mills to manufacture it, had only made the experiment. Mr. Hoomes told me all the lands round his, for many miles, were vacant. On the south side there is a large body of rich, low grounds, extending to the borders of Appalousa, watered and drained by Bayau Robert and Bayau Beauf, two handsome streams of clear water that rise in the high lands between Red river and Sabine, and after meandering through this immense mass of low grounds of 30 or 40 miles square, fall into the Chaffeli, to the southward of Avoyall. I believe, in point of soil, growth of timber, goodness of water, and conveniency to navigation, there is not a more valuable body of land in this part of Louisiana. From Mr. Hoomes' to the mouth of Rapide Bayau is, by the river, 35 miles. A few scattering settlements on the right side, but none on the left ; the right is preferred to settle on, on account of their stocks being convenient to the high lands ; but the settlers on the right side own the lands on the left side too ; the lands on the Bayau Rapide are the same quality as those on Bayaus Robert and Beauf, and, in fact, are a continuation of the same body of lands. Bayau Rapide is somewhat in the form of a half moon ; the two points, or horns, meeting the river about 20 miles from each other : the length of the bayau is about 30 miles ; on the back of it there is a large bayau falls in, on which there is a saw mill, very advantageously situated, in respect to a never failing supply of water ; plenty of timber ; and the plank can be taken from the mill tail by water. This bayau is excellent water ; rises in the pine woods, and discharges itself each way into the river, by both ends of Bayau Rapide. Boats cannot pass through the bayau, from the river to the river again, on account of rafts of timber choaking the upper end of it, but can enter the lower end and ascend it more than half through it. On the lower end of the bayau, on each side, is the principal Rapide settlement, as it is called ; no country whatever can exhibit handsomer plantations, or better lands. The Rapide is a fall, or shoal, occasioned by a soft rock in the bed of the river, that extends from side to side, over which, for about five months in the year, (viz.) from July to December, there is not sufficient water for boats to pass without lightening, but at all other seasons it is the same as any other part of the river. This rock, or hard clay, for it resembles the latter almost as much as the former, is so soft it may be cut away with a pen knife, or any sharp instrument, and scarcely turn the edge, and extends up and down the river but a few yards ; and I have heard several intelligent persons give it as their opinion, that the extraordinary expense and trouble the inhabitants were at, in one year, in getting loaded boats over this shoal, would be more than sufficient to cut a passage through it ; but it happens at a season of the year when the able planters are occupied at home, and would make no use of the river were there no obstructions in it ; but at any rate, the navigation of the river is clear a longer proportion of the year than the rivers in the northern countries are clear of ice. But this obstruction is certainly removable, at a very trifling expense, in comparison to the importance of having it done ; and nothing but the nature of the government we have lately emerged from, can be assigned as a reason for its not having been effected long ago.

After passing the Rapides there are very few settlements to be seen, on the main river, for about 20 miles, though both sides appeared to me to be capable of making as valuable settlements as any on the river ; we arrive then at the Indian villages, on both sides, situated exceedingly pleasant, and

on the best lands ; after passing which you arrive at a large, beautiful plantation of Mr. Gillard ; the house is on a point of a high pine woods bluff, close to the river, 60 or 70 feet above the common surface of the country, overlooking, on the east, or opposite side, very extensive fields of low grounds, in high cultivation, and a long reach of the river, up and down ; and there is an excellent spring of water issues from the bluff, on which the house is situated, from an aperture in the rock that seems to have been cloven on purpose for it to flow, and a small distance, back of the house, there is a lake of clear water, abounding with fish in summer and fowl in winter. I have seen in all my life, very few more beautiful or advantageously situated places.

Six miles above Gillard's, you arrive at the small village of Boluxa Indians, where the river is divided into two channels, forming an island of about 50 miles in length, and 3 or 4 in breadth. The right hand division is called the Rigula de Bondieu, on which are no settlements ; but, I am informed, will admit of being well settled ; the left hand division is the boat channel, at present, to Natchitoches : the other is likewise boatable. Ascending the left hand branch for about 24 miles, we pass a thick settlement and a number of wealthy inhabitants. This is called the *River Cane* settlement ; called so, I believe, from the banks some years ago, being a remarkable thick cane-brake.

After passing this settlement of about forty families, the river divides again, forming another island of about thirty miles in length, and from two to four in breadth, called the *Isle Brevel*, after a reputable old man now living in it, who first settled it. This island is sub-divided by a bayau that communicates from one river to the other, called also Bayau Brevel. The middle division of the river, is called *Little* river, and it is thickly settled, and is the boat channel : the westward division of the river is called False river ; is navigable, but not settled ; the banks are too low ; it passes through a lake called *Lac Occassa*. When you arrive at Natchitoches, you find it a small, irregular, and meanly built village, half a dozen houses excepted, on the west side of that division of the river it is on, the high pine and oak woods approach within two or three hundred yards of the river. In the village are about forty families, twelve or fifteen are merchants or traders, nearly all French. The fort built by our troops since their arrival, called Fort Claiborne, is situated on a small hill, one street from the river, and about thirty feet higher than the river banks. All the hill is occupied by the fort and barracks, and does not exceed two acres of ground. The southern and eastern prospects from it are very beautiful. One has an extensive view of the fields and habitations down the river, and the other a similar view over the river, and of the whole village. This town, thirty or forty years ago, was much larger than at present, and situated on a hill about half a mile from its present site. Then most of the families of the district lived in the town, but finding it inconvenient on account of the stocks and farms, they filed off, one after another, and settled up and down the river. The merchants and trading people found being on the bank of the river more convenient for loading and unloading their boats, left the hill on that account ; and others, finding the river ground much superiour for gardens, to which they are in the habit of paying great attention, followed the merchants ; after them the priests and commandant ; then the church and jail (or calleboose), and now nothing of the old town is left, but the form of their gardens and some ornamental trees. It is now a very extensive common of several hundred acres, entirely tufted with clover, and covered with sheep and cattle. The hill is a stiff clay, and used to make miry streets ; the river soil, though much richer, is of a loose, sandy, texture ; the streets are neither miry nor very dusty. Our wells do not afford us good water, and the river water, in summer, is too brackish to drink, and never clear

Our springs are about half a mile back from the river, but the inhabitants, many of them, have large cisterns, and use, principally, rain water, which is preferred to the spring water. The planters along on the river generally use rain water; though when the river is high, and the water taken up and settled in large earthen jars, (which the Indian women make of good quality and at a moderate price) it can be drank tolerably well, but it makes bad tea.

Near Natchitoches there are two large lakes, one within a mile, the other six miles to the nearest parts. One of them is fifty or sixty miles in circumference, the other upwards of thirty: these lakes rise and fall with the river. When the river is rising the bayaus that connect with the lakes, run into the lakes like a mill-tail, till the lakes are filled; and when the river is falling, it is the same the contrary way, just like the tide, but only annual. On these creeks good mills might be erected, but the present inhabitants know nothing of mills by water, yet have excellent cotton gins worked by horses. I do not know a single mechanick in the district, who is a native of it, one tailor excepted. Every thing of the kind is done by strangers, mostly Americans. Though Natchitoches has been settled almost one hundred years, it is not more than twelve or fifteen years since they ever had a plough, or a flat to cross the river with; both which were introduced by an Irish Pennsylvanian, under a similar opposition to the Copernican system. 'Tis almost incredible the quantity of fish and fowl these lakes supply. It is not uncommon in winter for a single man to kill from two to four hundred fowl in one evening; they fly between sundown and dark; the air is filled with them; they load and fire as fast as they can, without taking any particular aim, continuing at the same stand till they think they have killed enough, and then pick up what they have killed; they consist of several kinds of duck, geese, brant, and swan. In summer the quantities of fish are nearly in proportion. One Indian, with a bow and arrow, sometimes will kill them faster than another, with two horses, can bring them in; they weigh, some of them, thirty or forty pounds. The lakes likewise afford plenty of shells for lime; and at low water, the greater of them is a most luxuriant meadow, where the inhabitants fatten their horses. All round these lakes above high water mark, there is a border of rich land, generally wide enough for a field. On the bank of one of them, there is plenty of stone coal, and several quarries of tolerable good building stone; at high water boats can go out of the river into them. Similar lakes are found all along Red river, for five or six hundred miles, which, besides the uses already mentioned, nature seems to have provided as reservoirs for the immense quantity of water beyond what the banks of the river will contain; otherwise no part of them could be inhabited: the low grounds, from hill to hill, would be inundated. About twelve miles north of Natchitoches, on the north east side of the river, there is a large lake called *Lac Noiz*; the bayau of it communicates to the Rigula de Bondieu, opposite Natchitoch, which is boatable the greater part of the year. Near this lake are the salt works, from which all the salt that is used in the district, is made; and which is made with so much ease, that two old men, both of them cripples, with ten or twelve old pots and kettles, have, for several years past, made an abundant supply of salt for the whole district; they inform me they make six bushels per day. I have not been at the place, but have a bottle of the water brought to me, which I found nearly saturated. The salt is good. I never had better bacon than I make with it. I am informed, there are twelve saline springs now open; and by digging for them, for ought any one knows, twelve hundred might be opened. A few months ago, captain Burnet, of the Mississippi territory, coming to this place by Washita, came by the salt works, and purchased the right of one of the old men he found there, and has lately sent up a boat, with some large kettles and some negroes, under the direction of his son; and expects, when they get all in order, to be able to make thirty or forty bushels a day. Captain Burnet is of opinion, that he shall be able to supply the Mississippi territory,

and the settlements on Mississippi, from Point Coupee, upwards, lower than they can get it in New-Orleans and bring it up. Cathartic salts, and magnesia, might likewise be made in large quantities, if they understood it. The country all round the Sabine and Black lake is vacant, and from thence to Washita, a distance of about one hundred and twenty miles, which I am informed affords considerable quantities of well timbered good uplands, and well watered. There is a small stream we cross on the Washita road, the English call it *Little River*, the French *Dogdimona*, affording a wide rich bottom: this stream falls into the Acatahola lake; from thence to Washita, it is called Acatahola river; its course is eastwardly, and falls into Washita, near the mouth of Tensaw, where the road from Natchitoches to Natchez, crosses it; from the confluence of these three rivers, downwards, it is called Black river, which falls into Red river, sixty miles below. There is a good salt spring near the Acatahola lake.

Ascending Red river, above Natchitoches, in about three miles arrive at the upper mouth of the Rigula de Bondieu: there are settlements all along; plantations adjoining. From the upper mouth of the Rigula de Bondieu, the river is one channel through the settlement called Grand Ecore, of about six miles; it is called Grand Ecore, (or in English the Great Bluff) being such a one on the left hand side, near one hundred feet high. The face next the river, almost perpendicular, of a soft, white rock; the top, a gravel loam, of considerable extent, on which grow large oaks, hickory, black cherry, and grape vines. At the bottom of one of these bluffs, for there are two near each other, is a large quantity of stone-coal, and near them several springs of the best water in this part of the country; and a lake of clear water within two hundred yards, bounded by a gravelly margin. I pretend to have no knowledge of military tacticks, but think, from the river in this place being all in one channel, the goodness of the water, a high, healthy country, and well timbered all round it, no height near it so high, its commanding the river, and a very publick ferry just under it, and at a small expense, would be capable of great defence with a small force. The road from it to the westward, better than from Nachitoch, and by land only about five miles above it, and near it plenty of good building stone. These advantages it possesses beyond any other place within my knowledge on the river, for a strong fort, and safe place of deposit. Just about this bluff, the river makes a large bend to the right, and a long reach nearly due east and west by it; the bluff overlooks, on the opposite side, several handsome plantations. I have been induced, from the advantages this place appeared to me to possess, to purchase it, with four or five small settlements adjoining, including both bluffs, the ferry, springs and lake, the stone quarries, and coal; and a field of about five hundred acres of the best low grounds, on the opposite side. After leaving Grand Ecore, about a mile, on the left side comes in a large bayau, from the Spanish lake, as it is called, boatable the greater part of the year. This lake is said to be about fifty miles in circumference, and rises and falls with the river, into which, from the river, the largest boats may ascend, and from it, up the mouths of several large bayaus that fall into it, for some distance, one in particular called bayau Dupong, up which boats may ascend within one and a half mile of old fort Adaize. Leaving this bayau about two miles, arrive at a fork or division of the river; the left hand branch bears westwardly for sixty or eighty miles; then eastwardly, meeting the branch it left, after forming an island of about one hundred miles long, and, in some places, nearly thirty miles wide. Six or seven years ago, boats used to pass this way into the main river again; its communication with which being above the great raft or obstruction; but it is now choaked, and requires a portage of three miles; but at any season, boats can go from Natchitoches, about eighty miles, to the place called the point, where the French had a factory, and a small station of soldiers to guard the Indian trade, and is now undoubtedly a very

eligible situation for a similar establishment. The country bounded to the east and north, by this branch or division of the river, is called the bayau Pierre settlement, which was begun, and some of the lands granted before Louisiana was ceded to Spain by France, and continued under the jurisdiction of the commandant of Natchitoches until about twenty years ago, when, by an agreement between a Mr. Vogone, then commandant of this place, and a Mr. Elibarbe, commandant at Natchitoches, the settlement called bayau Pierre, was placed under the jurisdiction of the latter, and has so continued ever since. The settlement, I believe, contains about forty families, and generally they have large stocks of cattle : they supply us with our cheese entirely, and of a tolerable quality, and we get from them some excellent bacon hams. The country is interspersed with prairies, resembling, as to richness, the river bottoms, and, in size, from five to five thousand acres. The hills are a good grey soil, and produce very well, and afford beautiful situations. The creek called Bayau Pierre, (stony creek) passes through the settlement, and affords a number of good mill seats, and its bed and banks lined with a good kind of building stone, but no mills are erected on it. Some of the inhabitants have tried the uplands in wheat, which succeeded well. They are high, gently rolling, and rich enough ; produce good corn, cotton, and tobacco. I was through the settlement in July last, and found good water, either from a spring or well, at every house. The inhabitants are all French, one family excepted. A few miles to the westward, towards Sabine, there is a Saline, where the inhabitants go and make their salt. On the whole, for health, good water, good living, plenty of food for every kind of animal, general conveniency, and handsome surface, I have seen few parts of the world more inviting to settlers.

Returning back again to the fork of the main river we left, for the purpose of exploring the Bayau Pierre branch, we find irregular settlements, including Campti, where a few families are settled together on a hill near the river, northeast side. For about 20 miles, the river land is much the same every where, but the Campti settlement is more broken with bayaus and lagoons than any place I am acquainted with on the river, and for want of about a dozen bridges is inconvenient to get to, or travel through. The upper end of this settlement is the last on the main branch of Red river, which, straight by land, does not exceed 25 miles above Natchitoches. At the upper house the great raft or jam of timber begins ; this raft choaks the main channel for upwards of 100 miles, by the course of the river ; not one entire jam from the beginning to the end of it, but only at the points, with places of several leagues that are clear. The river is very crooked, and the low grounds are wide and rich, and I am informed, no part of Red river will afford better plantations than along its banks by this raft, which is represented as being so important as to render the country above it of little value for settlements ; this opinion is founded entirely upon incorrect information. The first or lowest part of the raft is at a bend or point in the river, just below the upper plantation, at which, on the right side, a large bayau, or division of the river, called Bayau Channo, comes in, which is free of any obstructions, and the greater part of the year boats of any size may ascend it, into lake Bistino, through which, to its communication with the lake, is only about three miles ; the lake is about 60 miles long, and lays nearly parallel with the river, from the upper end of which it communicates again with the river, by a bayau called *Daichet*, about 40 miles above the upper end of the raft ; from the lake to the river, through Bayau Daichet, is called nine miles ; there is always in this bayau sufficient water for any boat to pass ; from thence upwards Red river is free of all obstructions to the mountains. By lake Bistino, and these two bayaus, an island is formed, about 70 miles long, and three or four wide, capable of affording settlements inferiour to none on the river. From the above account you will perceive, that the only difficulty in opening a boat passage by this raft, through the lake, which is much shorter than by the course of the river, and avoid the current, and indeed, was the river unobstructed,

would always be preferred, is this small jam of timber at the point, just below the bayau Channo, as it is called.

After the receipt of your letter, I had an opportunity of seeing some of the inhabitants who live near this place, who informed me, that that small raft was easily broken, and that they had lately been talking of doing it. I persuaded them to make the attempt, and they accordingly appointed the Friday following, and all the neighbours were to be invited to attend and assist. They met accordingly, and effected a passage next to one bank of the river, so that boats could pass, but did not entirely break it; they intend to take another spell at it, when the water falls a little, and speak confidently of succeeding.

The country about the head of lake Bistino, is highly spoken of, as well the high lands, as the river bottom. There are falling into the river and lake in the vicinity, some handsome streams of clear wholesome water from towards Washita, one in particular called bayau Badkah by the Indians, which is boatable at some seasons; this bayau passes through a long, narrow and rich prairie, on which, my informant says, 500 families might be desirably settled; and from thence up to where the Caddos lately lived, the river banks are high, bottoms wide and rich as any other part of the river. From thence it is much the same to the mouth of the Little river of the left; this river is generally from 50 to an 100 yards wide; heads in the great prairies, south of Red river, and interlocks with the head branches of the Sabine and Trinity rivers; and in times of high water is boatable 40 or 50 leagues, affording a large body of excellent, well timbered and rich land, the low grounds from 3 to 6 miles wide: but the quality of the water, though clear, is very inferiour to that of the streams that fall into Red river on the north side. The general course of the Red river from this upwards is nearly from west to east, till we arrive at the Panis towns, when it turns northwestwardly. After leaving the mouth of the Little river of the left, both banks are covered with strong, thick cane for about 20 miles; the low grounds very wide, rich, and do not overflow; the river widening in proportion as the banks are less liable to overflow; you arrive at a handsome, rich prairie, 25 miles long on the right side, and 4 or 5 miles wide; bounded by handsome oak and hickory woods, mixed with some short-leaved pine, interspersed with pleasant streams and fountains of water. The opposite, or left side is a continuation of thick cane; the river or low lands 10 or 12 miles wide. After leaving the prairie, the cane continues for about 40 miles; you then arrive at another prairie, called Little prairie, left side, about 5 miles in length, and from 2 to 3 in breadth; opposite side continues cane as before; low lands wide, well timbered, very rich, and overflow but little; the river still widening. Back of the low grounds, is a well timbered, rich upland country; gently rolling and well watered; from the Little prairie, both banks cane for 10 or 12 miles, when the oak and pine woods come bluff to the river for about 5 miles; left hand side, cane as before; then the same on both sides, for from 10 to 20 miles wide, for about 15 miles, when the cedar begins on both sides, and is the principal growth on the wide, rich river bottom for 40 miles; in all the world there is scarcely to be found a more beautiful growth of cedar timber; they, like the cedars of Libanus, are large, lofty and straight.

You now arrive at the mouth of the Little river of the right; this river is about 150 yards wide: the water clear as chrystal; the bottom of the river stony, and is boatable, at high water, up to the great prairies near 200 miles by the course of the river; the low grounds generally from 10 to 15 miles wide, abounding with the most luxuriant growth of rich timber, but subject to partial inundation at particular rainy seasons. After leaving this river, both banks of Red river are cane as before, for about 20 miles, when you come to the round prairie, right side, about 5 miles in circumference. At this place Red river is fordable at low water; a hard stony bottom, and is the first place from its mouth where it can be forded. This round prairie is

high and pleasant, surrounded by handsome oak and hickory uplands; left side cane as before, and then the same both sides for 20 miles, to the long prairie, left side, 40 miles long; opposite side cane as before; near the middle of this prairie, there is a lake of about 5 miles in circumference, in an oval form, neither tree nor shrub near it, nor stream of water running either in or out of it; it is very deep, and the water so limpid that a fish may be seen 15 feet from the surface. By the side of this lake the Caddoquies have lived from time immemorial. About one mile from the lake is the hill on which, they say, the great spirit placed one Caddo family, who were saved when, by a general deluge, all the world were drowned; from which family all the Indians have originated. For this little natural eminence all the Indian tribes, as well as the Caddoquies, for a great distance, pay a devout and sacred homage. Here the French, for many years before Louisiana was ceded to Spain, had erected a small fort; kept some soldiers to guard a factory they had here established for the Indian trade, and several French families were settled in the vicinity, built a flour mill, and cultivated wheat successfully for several years; and it is only a few years ago that the mill irons and mill stones were brought down: it is about 25 years since those French families moved down, and 14 years since the Caddoquies left it. Here is another fording place when the river is low. On the opposite side a point of high oak, hickory, and pine land comes bluff to the river for about a mile; after which, thick cane to the upper end of the prairie; then the same on both sides for about 12 miles; then prairie on the left side for 20 miles, opposite side cane; then the same for 30 miles, then an oak high bluff 3 miles, cane again for about the same distance, on both sides; then for about one league, left side, is a beautiful grove of pacans, intermixed with no other growth; after which, cane both sides for 40 miles; then prairie, left side, for 20 miles, and from one to two miles only in depth; about the middle of which comes in a bayau of clear running water, about 50 feet wide; then cane again both sides the river for about 40 miles; then, on the right side, a point of high pine woods bluff to the river for about half a mile, cane again 15 or 16 miles; then a bluff of large white rocks for about half a mile, near 100 feet high, cane again about 45 miles, to a prairie on the right side, of about 30 miles long, and 12 or 15 miles wide; there is a thin skirt of wood along the bank of the river, that when the leaves are on the trees, the prairie is, from the river, scarcely to be seen. From the upper end of this prairie it is thick cane again for about six miles, when we arrive to the mouth of Bayau Galle, which is on the right side, about 30 yards wide, a beautiful, clear, running stream of wholesome well tasted water; after passing which it is thick cane again for 25 miles, when we arrive at a river that falls in on the right side, which is called by the Indians *Kiomitchie*, and by the French *La Riviere la Mine*, or Mine river, which is about 150 yards wide, the water clear and good, and is boatable about 60 miles to the silver mine, which is on the bank of the river, and the ore appears in large quantities, but the richness of it is not known. The Indians inform of their discovering another, about a year ago, on a creek that empties into the Kiomitchie, about three miles from its mouth, the ore of which they say resembles the other. The bottom land of this river is not wide, but rich; the adjoining high lands are rich, well timbered, well watered and situated. About the mine the current of the river is too strong for boats to ascend it, the country being hilly. After passing the Kiomitchie, both banks of the river are covered with thick cane for 25 miles, then, left side, a high pine bluff appears again to the river for about half a mile, after which nothing but cane again on each side for about 40 miles, which brings you to the mouth of a handsome bayau, left side, called by the Indians *Nahaucha*, which, in English, means the Kick; the French call it *Bois d'Arc*, or Bow-wood creek, from the large quantity of that wood that grows upon it. On this bayau trappers have been more successful in catching beaver than on any other water of Red river; it communicates with a lake, three or four miles from its mouth, called Swan lake,

from the great number of swan that frequent it; it is believed that this bayau is boatable at high water, for 20 or 30 leagues, from what I have been informed by some hunters with whom I have conversed, who have been upon it. The low grouuds are from three to six miles wide, very rich, the principal growth on it is the Bois d'arc. The great prairies approach pretty near the low grounds on each side of this creek; leaving which it is cane both sides for about eight miles, when we arrive at the mouth of the Vazzures, or Boggy river, which is about 200 yards wide, soft miry bottom, the water whitish, but well tasted. Attempts have been made to ascend it in perogues, but it was found to be obstructed by a raft of logs, about 20 miles up. The current was found to be gentle, and depth of water sufficient; was the channel not obstructed might be ascended far up. The low grounds on this river are not as wide as on most of the rivers that fall into Red river, but very rich; the high lands are a strong clay soil; the principal growth oak. After leaving this river the banks of Red river are alternately cane and prairie; timber is very small and scattered along only in places; it is only now to be seen along the water courses. From the Boggy river to the Blue river is about 50 miles, which comes in on the right side. The water of this river is called *blue*, from its extreme transparency; it is said to be well tasted, and admired, for its quality, to drink. The bed of this river is lined generally with black and greyish flint stones; it is about 50 yards wide, and represented as a beautiful stream; perogues ascend it about 60 or 70 miles. The low grounds of Blue river are a good width for plantations, very rich; the growth pacan, and every species of the walnut. The whole country here, except on the margin of the water courses, is one immense prairie. After passing this river, copses of wood only are to be seen here and there along the river bank for about 25 miles, to a small turgid river, called by the Indians *Bahachaha*, and by the French *Fouxoacheta*; some call it the Missouri branch of Red river; it emits a considerable quantity of water; runs from north to south, and falls into Red river nearly at right angles, and heads near the head of the Arkensa, and is so brackish it cannot be drank. On this river, and on a branch of the Arkensa, not far from it, the Indians find the salt rock; pieces of it have often been brought to Natchitoches by hunters, who procured it from the Indians. From the mouth of this river, through the prairie, to the main branch of the Arkensa, is three days journey; perhaps 60 or 70 miles in a straight line. From this to the Panis, or Towrache towns, by land, is about 30 miles, and by water, double that distance; the river is nearly a mile wide. The country on each side, for many hundreds of miles, is all prairie, except a skirt of wood along the river bank, and on the smaller streams; what trees there are, are small; the grass is green summer and winter. In between 33 and 34 degrees of north latitude, the soil is very rich, producing, luxuriously, every thing that is planted in it: the river, from this upwards, for 150 miles, continues at least a mile wide, and may be ascended in perogues.

Mr. Grappe, to whom I am indebted for the foregoing accurate description of Red river, informed me, that his personal knowledge of it did not extend but little above the Panis towns; but Mr. Brevel, of the Isle Brevel, who was born at the Caddo old towns, where he was, had been farther up it, and that whatever account he gave me might be relied on.

I therefore sought an opportunity, a few days after, to obtain from Mr. Brevel the following narrative, which I wrote down from his own mouth, as he related it:

"About 40 years ago, I sat off, on foot, from the Panis nation (who then lived about 50 leagues above where they now live) in company with a party of young Indian men, with whom I had been partly raised, on a hunting voyage, and to procure horses. We kept up on the south side of Red river, as near it as we could conveniently cross the small streams that fall in, sometimes at some distance, and at others very near it, and in sight of it. We

found the country all prairie, except small copses of wood, cedar, cotton wood, or musketo, amongst which a stick six inches in diameter could not be found; the surface becoming more and more light, sandy and hilly, with hedges of clifts of a greyish sandy rock, but every where covered with herbage. We found many small streams falling into the river, but none of any considerable size, or that discharged much water in dry seasons, but many deep gullies formed by the rain water. After travelling for several days over a country of this description, the country became more broken, the hills rising into mountains, amongst which we saw a great deal of rock salt, and an ore the Indians said was my (meaning the white people's) treasure, which I afterwards learned was silver. And that amongst these mountains of mines, we often heard a noise like the explosion of a cannon, or distant thunder, which the Indians said was the spirit of the white people working in their treasure, which, I afterwards was informed, was the blowing of the mines, as it is called, which is common in all parts of Spanish America where mines exist. The main branch of the river becoming smaller, till it divided into almost innumerable streams that issued out of the vallies amongst these mountains; the soil very light and sandy, of a reddish grey colour. We travelled on from the top of one mountain to the top of another, in hopes the one we were ascending was always the last, till the small streams we met with ran the contrary way, towards the setting sun, and the lands declining that way. We continued on till the streams enlarged into a river of considerable size, and the country became level, well timbered, the soil a rich black loam; the waters were all clear and well tasted. Here we found a great many different tribes of the Hietan, Appaches and Concee Indians; we likewise fell in with them frequently from the time we had been a few days out from the Panis towns, and were always treated kindly by them. I believe the distance from the Panis old towns to where we saw the last of Red river water, is at least one hundred leagues; and in crossing over the ridge, we saw no animals that were not common in all the country of Louisiana, except the spotted tyger, and a few white bears. After spending some days on the western waters, we sat off for the settlements of St. a Fé; steering nearly a south east course, and in a few days were out of the timbered country into prairie; the country became broken and hilly; the waters all running westwardly; the country cloathed with a luxuriant herbage, and frequently passing mines of silver ore. We arrived, at length, at a small, meanly built town in the St. a Fé settlement, containing about one hundred houses, round which were some small, cultivated fields, fenced round with small cedar and musketo brush, wattled in stakes. This little town was on a small stream of water that ran westwardly, and in a dry season scarcely run at all, and that the inhabitants were obliged to water their cattle from wells. And I understood that the bayau upon which this town is situated, was no part of Rio Grandi, but fell into the western ocean; but of that I might have been mistaken. I understood that similar small towns, or missions, were within certain distances of each other for a great extent southwardly, towards Mexico; and that the inhabitants were mostly christianised Indians and Matiffs. That the mines in that settlement afforded very rich ore, which was taken away in large quantities, packed on mules, and had the same appearance of what we met with about the head branches of Red river. After furnishing ourselves with horses at this place, we sat off again for the Panis towns, from whence we started, steering at first southwardly, in order to avoid a high, mountainous country that is difficult to cross, that lies between St. a Fe and Red river. After travelling some distance south, we turned our course northeastwardly, and arrived at the Panis towns in eighteen days from the day we left St. a Fe settlements; and three months and twenty days from the time we started."

He is of the opinion that from the Panis towns to St. a Fe, in a right line, is nearly three hundred miles, and all the country prairie, a few scattering cedar knobs excepted. After he had finished his narrative, I asked him how

far Red river was boatable. He said, not much above the Panis old towns; not that he knew of any particular falls or obstructions, but that the head branches of the river came from steep mountains, on which the rain often poured down in torrents, and runs into the river with such velocity, sweeping along with it large quantities of loose earth, of which these hills and mountains are composed: that it rolls like a swell in the sea, and would either sink or carry along with it any boat that it might meet in the river. But, he observed at the same time, that his opinion was founded on no experiment that he had ever known made. I asked him if the Indians had no perogues high up in the river. He told me, that the Indians there knew nothing of the use of them, for instead of there being for hundreds of miles a tree large enough for a canoe, one could scarcely be found large enough to make a fowl trough. I asked him what animals were found in the Great prairies. He told me, from Blue river, upwards, on both sides of Red river, there were innumerable quantities of wild horses, buffaloe, bears, wolves, elk, deer, foxes, sangliers or wild hogs, antelope, white hares, rabbits, &c. and on the mountains the spotted tyger, panther, and wild cat. He farther told me, that about 23 years ago, he was employed by the governour of St. Antoine, to go from that place into some of the Indian nations that lived towards St. a Fe, who were at war with the Spaniards, to try to make a peace with them, and bring in some of the chiefs to St. Antoine. He sat off from that place with a party of soldiers, and was to have gone to St. a Fe; they passed on a northwestwardly course for about 200 miles, but after getting into the Great Prairie, being a dry season, they were forced to turn back for want of water for themselves and horses, and that he does not know how near he went to St. a Fe, but believes he might have been half way.

The accounts given by Mr. Brevel, Mr. Grappe, and all other hunters with whom I have conversed, of the immense droves of animals that, at the beginning of winter, descend from the mountains down southwardly, into the timbered country, is almost incredible. They say the buffaloe and bear particularly, are in droves of many thousands together, that blacken the whole surface of the earth, and continue passing, without intermission, for weeks together, so that the whole surface of the country is, for many miles in breadth, trodden like a large road. I am, sir, &c. &c.

(Signed) JOHN SIBLEY.

Natchitoches, 10*th April*, 1805.

Distances up Red river, by the course of the river.

	MILES.	
From the mouth of Red river to Black river,	31	
to Baker's landing, lower end Avoyal	51	
La Glee's ditto, upper end Avoyal,	15	
Rice's,	6	
Hoomes's,	18	
Nicholas Grubb's,	21	
mouth of bayau Rapide,	15	
	—	157
Indian villages,	22	
Mount Pleasant, Gillard's place,	7	
mouth of Rigula de Bondieu,	6	
Mounete's plantation,	10	
mouth of Little river,	24	
bayau Brevel,	20	
Natchitoches,	20	
	—	109
		266

Brought over		266
Grand Ecore,	10	
Compti,	20	
bayau Channo,	15	
lake Bistino, through bayau Channo,	3	
through lake Bistino to the upper end of Channo,	60	
through bayau Daichet to the river again,	9	
late Caddo villages, where they lived 5 years ago,	80	
	—	197
Little river of the left,	80	
long prairie, right side,	25	
upper end of ditto,	25	
little prairie, left side,	40	
upper end ditto,	5	
	—	175
pine bluff, right side,	12	
upper end, ditto,	5	
cedars,	15	
upper end ditto, and mouth of Little river of the right,	40	
	—	72
round prairie, right side, (first fording place)	20	
lower end of long prairie, left side,	25	
upper end ditto,	40	
next prairie same side,	12	
upper end of the same,	20	
3 mile oak and pine bluff,	30	
Pacan grove,	9	
upper end of the same,	6	
	—	162
prairie next above the pacans,	40	
upper end of the same,	25	
pine bluff right side,	45	
white oak bluff,	15	
next prairie right side,	45	
upper end ditto,	30	
bayau Galle, right side,	6	
mouth of Kiomitchie, or mine river,	25	
	—	231
pine bluff left side,	25	
bayau Kick, or Bois d'arc creek,	40	
the Vazzures, or Boggy river, right side,	8	
Blue river, right side,	50	
Faux Oacheto or Missouri branch,	25	
Panis or Towiache towns,	70	
Panis or ditto old towns,	150	
head branch of Red river, or dividing ridge,	300	
	—	668
To which may be added for so much the distance being shortened by going through lake Bistino, than the course of the river,		60
		1,831
Computed length of Red river from where it falls into the Mississippi, to which add the distance from the mouth of Red river to the ocean, by either the Mississippi, or the Cheffeli, which was once probably the mouth of Red river,		320
Total length of Red river,	*miles*	2,151

OBSERVATIONS

Made in a voyage commencing at St. Catharine's landing, on the east bank of the Mississippi, proceeding downwards to the mouth of Red river, and from thence ascending that river, the Black river, and the Washita river, as high as the hot springs in the proximity of the last mentioned river; extracted from the Journals of William Dunbar, Esq. and Doctor Hunter.

MR. DUNBAR, Doctor Hunter, and the party employed by the United States to make a survey of, and explore the country traversed by the Washita river, left St. Catharine's landing, on the Mississippi, in latitude 31°. 26′. 30″. N. and longitude 6h. 5′. 56″. W. from the meridian of Greenwich, on Tuesday the 16th of October, 1804. A little distance below St. Catharine's creek, and 5 leagues from Natches, they passed the White Cliffs, composed chiefly of sand, surmounted by pine, and from 100 to 200 feet high. When the waters of the Mississippi are low, the base of the cliff is uncovered, which consists of different coloured clays, and some beds of ochre, over which there lies, in some places, a thin lamina of iron ore. Small springs possessing a petrifying quality flow over the clay and ochre, and numerous logs and pieces of timber, converted into stone, are strewed about the beach. Fine pure argil of various colours, chiefly white and red, is found here.

On the 17th they arrived at the mouth of Red river, the confluence of which with the Mississippi, agreeably to the observations of Mr. de Ferrer, lies in latitude 31°. 1′. 15″. N. and longitude 6h. 7′. 11″. W. of Greenwich. Red river is here about 500 yards wide, and without any sensible current. The banks of the river are clothed with willow; the land low and subject to inundation, to the height of 30 feet or more above the level of the water at this time. The mouth of the Red river is accounted to be 75 leagues from New-Orleans, and 3 miles higher up than the Chafalaya, or Opelousa river, which was probably a continuation of the Red river when its waters did not unite with those of the Mississippi but during the inundation.

On the 18th the survey of the Red river was commenced, and on the evening of the 19th the party arrived at the mouth of the Black river, in latitude 31°. 15′. 48″. N. and about 26 miles from the Mississippi. The Red river derives its name from the rich fat earth, or marle, of that colour, borne down by the floods; the last of which appeared to have deposited on the high bank a stratum of upwards of half an inch in thickness. The vegetation on its banks is surprisingly luxuriant; no doubt owing to the deposition of marle during its annual floods. The willows grow to a good size; but other forest trees are much smaller than those seen on the banks of the Mississippi. As you advance up the river, it gradually narrows; in latitude 31°. 08′. N. it is about 200 yards wide, which width is continued to the mouth of Black river, where each of them appears 150 yards across. The banks of the river are covered with pea vine and several sorts of grass, bearing seed, which geese and ducks eat very greedily; and there are generally seen willows growing on one side, and on the other a small growth of black oak, packawn, hickory, elm, &c. The current in the Red river is so moderate as scarcely to afford an impediment to its ascent.

On sounding the Black river a little above its mouth, there was found 20 feet of water, with a bottom of black sand. The water of Black river is rather clearer than that of the Ohio, and of a warm temperature, which it may receive from the water flowing into it from the valley of the Mississippi, particularly by the Catahoola. At noon on the 23d, by a good meridian ob-

servation, they ascertained their latitude to be 30°. 36'. 29". N. and were then a little below the mouths of the Catahoola, Washita and Bayau Tenza, the united waters of which form the Black river. The current is very gentle the whole length of the Black river, which in many places does not exceed 80 yards in width. The banks on the lower part of the river present a great luxuriance of vegetation and rank grass, with red and black oak, ash, packawn, hickory, and some elms.* The soil is black marle, mixed with a moderate proportion of sand, resembling much the soil on the Mississippi banks; yet the forest trees are not lofty, like those on the margin of the great river, but resembling the growth on the Red river. In latitude 31°. 22'. 40". N. they observed that canes grew on several parts of the right bank, a proof that the land is not deeply overflowed; perhaps from one to three feet: the banks have the appearance of stability; very little willow, or other productions of a newly formed soil being seen on either side. On advancing up the river, the timber becomes larger, in some places rising to the height of 40 feet; yet the land is liable to be inundated, not from the waters of this small river, but from the intrusion of its more powerful neighbour the Mississippi. The lands decline rapidly, as in all alluvial countries, from the margin to the Cypress swamps, where more or less water stagnates all the year round. On the 21st they passed a small, but elevated island, said to be the only one in this river for more than 100 leagues ascending. On the left bank, near this island, a small settlement of a couple of acres has been begun by a man and his wife. The banks are not less than 40 feet above the present level of the water in the river, and are but rarely overflowed: on both sides they are clothed with rich cane brake, pierced by creeks fit to carry boats during the inundation.

They saw many cormorants, and the hooping crane; geese and ducks are not yet abundant, but are said to arrive in myriads with the rains and winter's cold. They shot a fowl of the duck kind, whose foot was partially divided, and the body covered with a bluish or lead coloured plumage. On the morning of the twenty-second, they observed green matter floating on the river, supposed to come from the Catahoola and other lakes and bayaus of stagnant water, which, when raised a little by rain, flow into the Black river; and also many patches of an aquatic plant, resembling small islands, some floating on the surface of the river, and others adhering to, or resting on the shore and logs. On examining this plant, it was found a hollow, jointed stem, with roots of the same form, extremely light, with very narrow willow shaped leaves projecting from the joint, embracing however, the whole of the tube, and extending to the next inferior joint or knot. The extremity of each branch is terminated by a spike of very slender, narrow seminal leaves from one to two inches in length, and one tenth, or less, in breadth, producing its seed on the underside of the leaf, in a double row almost in contact: the grains alternately placed in perfect regularity: not being able to find the flower, its class and order could not be determined, although it is not probably new. Towards the upper part of the Black river, the shore abounded with muscles and periwinkles. The muscles were of the kind called pearl muscles. The men dressed a quantity of them, considering them as an agreeable food; but Mr. D. found them tough and unpalatable.

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* Among the plants growing on the margin of the river is the cheria root, used in medicine, and the cantac, occasionally used by the hunters for food; the last has a bulbous root, ten times the size of a man's fist. In preparing it, they first wash it clean from the earth, then pound it well, and add water to the mass and stir it up; after a moment's settlement the water and fecula is poured off: this operation is repeated until it yields no more fecula, the fibrous part only being left, which is thrown away as useless: the water is then poured from the sediment, which is dried in the sun, and will keep a long time. It is reduced into powder and mixed with Indian meal or flour, and makes wholesome and agreeable food. The labour is performed by the women whilst they are keeping the camp, and their husbands are in the woods hunting.

On arriving at the mouth of the Catahoola, they landed to procure information from a Frenchman settled there. Having a grant from the Spanish government, he has made a small settlement, and keeps a ferry-boat for carrying over men and horses travelling to and from Natchez, and the settlements on Red river and on the Washita river. The country here is all alluvial. In process of time, the rivers shutting up ancient passages and elevating the banks over which their waters pass, no longer communicate with the same facility as formerly; the consequence is, that many large tracts formerly subject to inundation, are now entirely exempt from that inconvenience. Such is the situation of a most valuable tract upon which this Frenchman is settled. His house stands on an Indian mount, with several others in view. There is also a species of rampart surrounding this place, and one very elevated mount, a view and description of which is postponed till they return; their present situation not allowing of the requisite delay. The soil is equal to the best Mississippi bottoms.*

They obtained from the French settler the following list of distances between the mouth of the Red river and the post on the Washita, called fort Miro.

From the mouth of Red river to the mouth of Black river	10 leagues.
To the mouth of Catahoola, Washita, and Tenza,	22
To the river Ha-ha, on the right,	1
To the Prairie de Villemont, on the same side,	5
To the bayau Louis, on the same side, rapids here,	1
To bayau Bœufs, on the same side,	4
To the Prairie Noyu, (drowned savanna),	3
To Pine Point, on the left,	4½
To bayau Calumet,	3½
To the Coalmine, on the right, and Gypsum on the opposite shore,	3
To the first settlement,	12
To fort Miro,	22
Leagues,	91

From this place they proceeded to the mouth of Washita, in lat. 35° 37′ 7″ N. and encamped on the evening of the 23d.

This river derives its appellation from the name of an Indian tribe formerly resident on its banks; the remnant of which, it is said, went into the great plains to the westward, and either compose a small tribe themselves, or are incorporated into another nation. The Black river loses its name at the junction of the Washita, Catahoola, and Tenza, although our maps represent it as taken place of the Washita. The Tenza and Catahoola are also named from Indian tribes now extinct. The latter is a creek twelve leagues long, which is the issue of a lake of the same name, eight leagues in length and about two leagues in breadth. It lies west from the mouth of the Catahoola, and communicates with the Red river during the great annual inundation. At the west or north-west angle of the lake, a creek called Little river, enters, which preserves a channel with running water at all seasons, meandering along the bed of the lake; but in all other parts its

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* There is an embankment running from the Catahoola to Black river (incloſing about two hundred acres of rich land), at preſent about ten feet high, and ten feet broad. This ſurrounds four large mounds of earth at the diſtance of a bow-ſhot from each other: each of which may be twenty feet high, one hundred feet broad, and three hundred feet long at the top, beſides a ſtupendous turret ſituate on the back part of the whole, or fartheſt from the water, whoſe baſe covers about an acre of ground, riſing by two ſteps or ſtories tapering in the aſcent, the whole ſurmounted by a great cone with its top cut off. This tower of earth on admeaſurement was found to be eighty feet perpendicular.

superfices, during the dry season from July to November, and often later, is completely drained, and becomes covered with the most luxurious herbage ; the bed of the lake then becomes the residence of immense herds of deer, of turkeys, geese, crane, &c. which feed on the grass and grain. Bayau Tenza serves only to drain off a part of the waters of the inundation from the low lands of the Mississippi, which here communicate with the Black river during the season of high water.

Between the mouth of the Washita and Villemont's prairie on the right, the current of the river is gentle, and the banks favourable for towing. The lands on both sides have the appearance of being above the inundation ; the timber generally such as high lands produce, being chiefly red, white and black oaks interspersed with a variety of other trees. The magnolia grandiflora, that infallible sign of the land not being subject to inundation, is not, however, among them. Along the banks a stratum of solid clay, or marle, is observable, apparently of an ancient deposition. It lies in oblique positions, making an angle of nearly thirty degrees with the horizon, and generally inclined with the descent of the river, although in a few cases the position was contrary. Timber is seen projecting from under the solid bank, which seems indurated, and unquestionably very ancient, presenting a very different appearance from recently formed soil. The river is about 80 yards wide. A league above the mouth of the Washita, the bayau Ha-ha comes in unexpectedly from the right, and is one of the many passages through which the waters of the great inundation penetrate and pervade all the low countries, annihilating, for a time, the currents of the lesser rivers in the neighbourhood of the Mississippi. The vegetation is remarkably vigorous along the alluvial banks which are covered with a thick shrubbery, and innumerable plants in full blossom at this late season.

Villemont's prairie is so named in consequence of its being included within a grant under the French government to a gentleman of that name. Many other parts on the Washita are named after their early proprietors. The French people projected and began extensive settlements on this river, but the general massacre planned, and in part executed by the Indians against them, and the consequent destruction of the Natchez tribe by the French, broke up all these undertakings and they were not recommenced under that government. Those pairies are plains, or savannas, without timber ; generally very fertile, and producing an exuberance of strong, thick and coarse herbage. When a piece of ground has once got into this state, in an Indian country, it can have no opportunity of re-producing timber, it being an invariable practice to set fire to the dry grass in the fall or winter, to obtain the advantage of attracting game when the young tender grass begins to spring : this destroys the young timber, and the prairie annually gains upon the wood-land. It is probable that the immense plains known to exist in America, may owe their origin to this custom. The plains of the Washita lie chiefly on the east side, and being generally formed like the Mississippi land, sloping from the bank of the river to the great river, they are more or less subject to inundation in the rear ; and in certain great floods the water has advanced so far as to be ready to pour over the margin into the Washita. This has now become a very rare thing, and it may be estimated that from a quarter of a mile to a mile in depth, will remain free from inundation during high floods. This is pretty much the case with those lands nearly as high as the post of the Washita, with the exception of certain ridges of primitive high-land ; the rest being evidently alluvial, although not now subject to be inundated by the Washita river in consequence of the great depth which the bed of the river has acquired by abrasion. On approaching toward the bayau Louis, which empties its waters into the Washita on the right, a little below the rapids there is a great deal of high land on both sides, which produces pine and

other timber not the growth of inundated lands. At the foot of the rapids, the navigation of the river is impeded by beds of gravel formed in it. The first rapids lie in latitude 31°. 48′. 57″. 5 N. a little above which there is a high ridge of primitive earth, studded with abundance of fragments of rocks, or stone, which appears to have been thrown up to the surface in a very irregular manner. The stone is of a friable nature, some of it having the appearance of indurated clay; the outside is blackish from exposure to the air, within it is a greyish white; it is said that in the hill the strata are regular and that good grindstones may be here obtained. The last of the rapids, which is formed by a ledge of rocks crossing the entire bed of the river, was passed in the evening of the 27th; above it the water became again like a mill pond and about one hundred yards wide. The whole of these first shoals, or rapids, embraced an extent of about a mile and a half; the obstruction was not continued, but felt at short intervals in this distance. On the right, about four leagues from the rapids, they passed the "Bayau Aux Boeufs," a little above a rocky hill: high lands and savanna is seen on the right. On sounding the river they found three fathoms water on a bottom of mud and sand. The banks of the river, above the bayau seem to retain very little alluvial soil; the highland earth, which is a sandy loam of a light grey colour, with streaks of red sand and clay, is seen on the left bank; the soil not rich, bearing pines, interspersed with red oak, hickory and dogwood. The river is from sixty to one hundred yards wide here, but decreases as you advance. The next rapid is made by a ledge of rocks traversing the river, and narrowing the water channel to about thirty yards. The width between the high banks cannot be less than one hundred yards, and the banks from thirty to forty feet high. In latitude 32°. 10′. 15″. rapids and shoals again occurred, and the channel was very narrow; the sand bars at every point extended so far into the bend as to leave little more than the breadth of the boat of water sufficiently deep for her passage, although it spreads over a width of seventy or eighty yards upon the shoal.

In the afternoon of the 31st, they passed a little plantation or settlement on the right, and at night arrived at three others adjoining each other. These settlements are on a plain or prairie, the soil of which we may be assured is alluvial from the regular slope which the land has from the river. The bed of the river is now sufficiently deep to free them from the inconvenience of its inundation; yet in the rear the waters of the Mississippi approach, and sometimes leave dry but a narrow stripe along the bank of the river. It is however now more common, that the extent of the fields cultivated (from $\frac{1}{4}$ to $\frac{1}{2}$ mile) remains dry during the season of inundation; the soil here is very good, but not equal to the Mississippi bottoms; it may be esteemed second rate. At a small distance to the east are extensive cypress swamps, over which the waters of the inundation always stand to the depth of from fifteen to twenty-five feet. On the west side, after passing over the valley of the river whose breadth varies from a quarter of a mile to two miles, or more, the land assumes a considerable elevation, from one hundred to three hundred feet, and extends all along to the settlements of the Red river. These high lands are reported to be poor, and badly watered, being chiefly what is termed pine barren. There is here a ferry and road of communication between the post of the Washita, and the Natchez, and a fork of this road passes on to the settlement called the rapids, on Red river, distant from this place by computation one hundred and fifty miles.

On this part of the river lies a considerable tract of land granted by the Spanish government to the marquis of Maison Rouge, a French emigrant, who bequeathed it with all his property to M. Bouligny, son of the late colonel of the Louisiana regiment, and by him sold to Daniel Clarke. It is said to extend from the post of Washita with a breadth of two leagues, including the river, down to the bayau Calumet; the computed distance of

which along the river is called thirty leagues, but supposed not more than twelve in a direct line.

On the 6th of November, in the afternoon, the party arrived at the post of the Washita, in lat. 32° 29′ 37″. 25 N. where they were politely received by lieut. Bowmar, who immediately offered the hospitality of his dwelling with all the services in his power.

From the ferry to this place the navigation of the river is, at this season, interrupted by many shoals and rapids. The general width is from eighty to a hundred yards. The water is extremely agreeable to drink, and much clearer than that of the Ohio. In this respect it is very unlike its two neighbours, the Arkansa and Red rivers, whose waters are loaded with earthy matters of a reddish brown color, giving to them a chocolate-like appearance; and, when those waters are low, are not potable, being brackish from the great number of salt springs which flow into them, and probably from the beds of rock salt over which they may pass. The banks of the river presented very little appearance of alluvial land, but furnished an infinitude of beautiful landscapes, heightened by the vivid coloring they derive from the autumnal changes of the leaf. Mr. Dunbar observes, that the change of colour in the leaves of vegetables, which is probably occasioned by the oxygen of the atmosphere acting on the vegetable matter, deprived of the protecting power of the vital principle, may serve as an excellent guide to the naturalist who directs his attention to the discovery of new objects for the use of the dyer. For he has always remarked that the leaves of those trees whose bark or wood are known to produce a dye, are changed in autumn to the same color which is extracted in the dyers vat from the woods; more especially by the use of mordants, as allum, &c. which yields oxygen: thus the foliage of the hickory, and oak, which produces the quercitron bark, is changed before its fall into a beautiful yellow; other oaks assume a fawn color, a liver color, or a blood color, and are known to yield dyes of the same complexion.

In lat. 32° 18′ N. doct. Hunter discovered along the river side a substance nearly resembling mineral coal: its appearance was that of the carbonated wood described by Kirwan. It does not easily burn; but on being applied to the flame of a candle, it sensibly increased it, and yielded a faint smell, resembling in a slight degree, that of the gum lac of common sealing wax.

Soft friable stone is common, and great quantities of gravel and sand, upon the beaches in this part of the river. A reddish clay appears in the strata, much indurated and blackened by exposure to the light and air.

The position called fort Miro being the property of a private person, who was formerly civil commandant here, the lieutenant has taken post about four hundred yards lower; has built himself some log houses, and inclosed them with a slight stockade. Upon viewing the country east of the river, it is evidently alluvial; the surface has a gentle slope from the river to the rear of the plantations. The land is of excellent quality, being a rich black mould to the depth of a foot, under which there is a friable loam of a brownish liver colour.

At the post of the Washita, they procured a boat of less draught of water than the one in which they ascended the river thus far; at noon, on the 11th of November, they proceeded on the voyage, and in the evening encamped at the plantation of Baron Bastrop.

This small settlement on the Washita, and some of the creeks falling into it, contains not more than five hundred persons, of all ages and sexes. It is reported, however, that there is a great quantity of excellent land upon these creeks, and that the settlement is capable of great extension, and may be expected, with an accession of population, to become very flourishing. There are three merchants settled at the post, who supply, at very

exorbitant prices, the inhabitants with their necessaries ; these, with the garrison, two small planters, and a tradesman or two, constitute the present village. A great proportion of the inhabitants continue the old practice of hunting, during the winter season, and they exchange their peltry for necessaries, with the merchants, at a low rate. During the summer these people content themselves with raising corn, barely sufficient for bread during the year. In this manner they always remain extremely poor : some few who have conquered that habit of indolence, which is always the consequence of the Indian mode of life, and attend to agriculture, live more comfortably, and taste a little the sweets of civilized life.

The lands along the river above the post, are not very inviting, being a thin poor soil, and covered with pine wood. To the right, the settlement on the bayau Barthelemi and Siard, are said to be rich land.

On the morning of the 13th, they passed an island and a strong rapid, and arrived at a little settlement below a chain of rocks, which cross the channel between an island and the main land, called Roque Raw. The Spaniard and his family, settled here, appear, from their indolence, to live miserably. The river acquires here a more spacious appearance, being about one hundred and fifty yards wide. In the afternoon they passed the bayau Barthelemi on the right, above the last settlements, and about twelve computed leagues from the post. Here commences Baron Bastrop's great grant of land from the Spanish government, being a square of twelve leagues on each side, a little exceeding a million of French acres. The banks of the river continue about thirty feet high, of which eighteen feet from the water are a clayey loam of a pale ash colour, upon which the water has deposited twelve feet of light sandy soil, apparently fertile, and of a dark brown color. This description of land is of small breadth, not exceeding half a mile on each side of the river, and may be called the valley of the Washita, beyond which there is high land covered with pines.

The soil of the "Bayau des Buttes," continues thin with a growth of small timber. This creek is named from a number of Indian mounts discovered by the hunters along its course. The margin of the river begins to be covered with such timber as usually grows on inundated land, particularly a species of white oak, vulgarly called the over-cup oak ; its timber is remarkably hard, solid, ponderous and durable, and it produces a large acorn in great abundance, upon which the bear feeds, and which is very fattening to hogs.

In lat. 32° 50′ 8″ N. they passed a long and narrow island. The face of the country begins to change ; the banks are low and steep ; the river deeper and more contracted, from thirty to fifty yards in width. The soil in the neighborhood of the river is a very sandy loam, and covered with such vegetables as are found on the inundated lands of the Mississippi. The tract presents the appearance of a new soil, very different from what they passed below. This alluvial tract may be supposed the site of a great lake, drained by a natural channel, from the abrasion of the waters : since which period the annual inundations have deposited the superior soil ; eighteen or twenty feet is wanting to render it habitable for man. It appears, nevertheless, well stocked with the beasts of the forest, several of which were seen.

Quantities of water fowl are beginning to make their appearance, which are not very numerous here until the cold rains and frost compel them to leave a more northern climate. Fish is not so abundant as might be expected, owing, it is said, to the inundation of the Mississippi, in the year 1799, which dammed up the Washita, some distance above the post, and produced a stagnation and consequent corruption of the waters that destroyed all the fish within its influence.

At noon on the 15th November, they passed the island of Mallet, and at ninety yards north-east from the upper point of the island, by a good observation ascertained their latitude to be 32° 59′ 27″. 5 N. or two seconds and a half of latitude south of the dividing line between the territories of Or-

leans and Louisiana. The bed of the river along this alluvial country, is generally covered with water, and the navigation uninterrupted; but in the afternoon of this day, they passed three contiguous sand bars, or beaches, called "les trois battures," and before evening the "bayau de grand Marais," or great marsh creek on the right, and "la Cypreri Chattelrau," a point of high land on the other side, which reaches within half a mile of the river. As they advanced towards the marais de saline, on the right, a stratum of dirty white clay under the alluvial tract, shewed them to be leaving the sunken, and approaching the high land country. The salt lick marsh does not derive its name from any brackishness in the water of the lake or marsh, but from its contiguity to some of the licks, sometimes called "saline," and sometimes "glaise," generally found in a clay, compact enough for potters' ware. The bayau de la Tulipe forms a communication between the lake and the river. Opposite to this place, there is a point of high land, forming a promontory, advancing within a mile of the river, and to which boats resort when the low grounds are under water. A short league above is the mouth of the grand bayau de la Saline (Salt Lick creek). This creek is of a considerable length, and navigable for small boats. The hunters ascend it, to one hundred of their leagues, in pursuit of game, and all agree that none of the springs which feed this creek are salt. It has obtained its name from the many buffaloe salt licks which have been discovered in its vicinity. Although most of these licks, by digging, furnish water which holds marine salt in solution, there exists no reason for believing that many of them would produce nitre. Notwithstanding this low alluvial tract appears in all respects well adapted to the growth of the long moss (tilandsia), none was obsered since entering it in latitude 32° 52′, and as the pilot informed them none would be seen in their progress up the river, it is probable that the latitude of thirty-three degrees is about the northern limit of vegetation. The long-leaf pine, frequently the growth of rich and even inundated land, was here observed in great abundance: the short-leaved or pitch pine, on the contrary, is always found upon arid lands and generally in sandy and lofty situations.

This is the season when the poor settlers on the Washita turn out to make their annual hunt. The deer is now fat and the skins in perfection; the bear is now also in his best state, with regard to the quality of his fur, and the quantity of fat or oil he yields, as he has been feasting luxuriantly on the autumnal fruits of the forest. It is here well known that he does not confine himself, as some writers have supposed, to vegetable food; he is particularly fond of hogs flesh; sheep and calves are frequently his prey, and no animal escapes him which comes within his power, and which he is able to conquer. He often destroys the fawn when chance throws it in his way; he cannot however, discover it by smelling, notwithstanding the excellence of his scent, for nature has, as if for its protection, denied the fawn the property of leaving any effluvium upon its track, a property so powerful in the old deer.* The bear, unlike most other beasts of prey, does not kill the animal he has seized upon before he eats it; but regardless of its struggles, cries and lamentations, fastens upon, and if the expression is allowable, devours it alive. The hunters count much on their profits from the oil drawn from the bears fat, which, at New Orleans, is always of ready sale, and much esteemed for its wholesomeness in cooking, being preferred to butter or hogs lard. It is found to keep longer than any other animal oil without becoming rancid; and boiling it, from time to time, upon sweet bay leaves, restores it sweetness, or facilitates its conservation.

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* It may not be generally known to naturaliſts, that between the hoof of the deer, &c. there is found a ſack, with its mouth inclining upwards, containing more or leſs of muſk, and which, by eſcaping over the opening, in proportion to the ſecretion, cauſes the foot to leave a ſcent on the ground wherever it paſſes. During the rutting ſeaſon this muſk is ſo abundant, particularly in old males, as to be ſmelt by the hunters at a conſiderable diſtance.

In the afternoon of the 17th they passed some sand beaches, and over a few rapids. They had cane brakes on both sides of the river; the canes were small but demonstrate that the water does not surmount the bank more than a few feet. The river begins to widen as they advance: the banks of the river shew the high land soil, with a stratum of three or four feet of alluvion deposited by the river upon it. This superstratum is greyish, and very sandy, with a small admixture of loam, indicative of the poverty of the mountains and uplands where the river rises. Near this they passed through a new and very narrow channel, in which all the water of the river passes, except in time of freshes, when the interval forms an island. A little above this pass is a small clearing, called "Cache la Tulipe" (Tulip's hiding place); this is the name of a French hunter who here concealed his property. It continues the practice of both the white and red hunters to leave their skins, &c. often suspended to poles, or laid over a pole placed upon two forked posts, in sight of the river, until their return from hunting. These deposits are considered as sacred, and few examples exist of their being plundered. After passing the entrance of a bay, which within must form a great lake during the inundation, great numbers of the long leaf pine were observed; and the increased size of the canes along the river's bank, denoted a better and more elevated soil; on the left was a high hill (300 feet) covered with lofty pine trees.

The banks of the river present more the appearance of upland soil, the under stratum being a pale yellowish clay, and the alluvial soil of a dirty white, surmounted with a thin covering of a brown vegetable earth. The trees improve in appearance, growing to a considerable size and height, though yet inferiour to those on the alluvial banks of the Mississippi. After passing the "Bayau de Hachis," on the left, points of high land, not subject to be overflowed, frequently touch the river and the valley is said to be more than a league in breadth on both sides. On the left are pine hills called "Code de Champignole." The river is not more than fifty or sixty yards wide. On the morning of the 20th they passed a number of sand beaches, and some rapids, but found good depth of water between them. A creek called "Chemin Couvert," which forms a deep ravine in the high lands, here enters the river; almost immediately above this is a rapid where the water in the river is confined to a channel of about forty yards in width; above it they had to quit the main channel, on account of the shallowness and rapidity of the water, and pass along a narrow channel of only sixty feet wide: without a guide a stranger might take this passage for a creek.

Notwithstanding the lateness of the season, and the northern latitude they were in, they this day met with an alligator. The banks of the river are covered with cane, or thick under brush, frequently so interwoven with thorns and briars as to be impenetrable. Birch, maple, holly, and two kinds of wood to which names have not yet been given, except "water side wood," are here met with; as also persimons and small black grapes. The margin of the river is fringed with a variety of plants and vines, among which are several species of convolvulus.

On the left they passed a hill and cliff one hundred feet perpendicular, crowned with pines, and called "Cote de Finn" (Fin's hill) from which a chain of high land continues some distance. The cliff presents the appearance of an ash coloured clay. A little farther to the right is the Bayau d'Acasia (Locust creek). The river varies here from eighty to an hundred yards in width, presenting frequent indications of iron along its banks, and some thin strata of iron ore. The ore is from half an inch to three inches in thickness.

On the morning of the 22d of November, they arrived at the road of the Chadadoquis Indian nation leading to the Arkansa nation ; a little beyond this is the Ecor a Fabri (Fabri's cliffs) from 80 to 100 feet high ; and a little distance above, a smaller cliff called "Le Petit Ecor a Fabri" (the Little Cliff of Fabri) : these cliffs appear chiefly to be composed of ash coloured sand, with a stratum of clay at the base, such as runs all along under the banks of this river. Above these cliffs are several rapids ; the current is swifter, and denotes their ascent into a higher country : the water becomes clear, and equal to any in its very agreeable taste and as drinking water. In the river are immense beds of gravel and sand, over which the water passes with great velocity in the season of its floods, carrying with it vast quantities of drift wood, which it piles up, in many places, to the height of twenty feet above the present surface, pointing out the difficulty and danger of navigation in certain times of the flood ; accidents, however, are rare with the canoes of the country.

As the party ascended they found the banks of the river less elevated, being only from nine to twelve feet and are probably surmounted by the freshes some feet. The river becomes more obstructed by rapids, and sand and gravel beaches, among which are found fragments of stone of all forms, and a variety of colours, some highly polished and rounded by friction. The banks of the river in this upper country suffer greatly by abrasion, one side and sometimes both being broken down by every flood.

At a place called "Auges d'Arclon," (Arclon's troughs) is laminated iron ore, and a stratum of black sand, very tenacious, shining with minute chrystals. The breadth of the river is here about eighty yards : in some places, however, it is enlarged by islands, in others, contracted to eighty or one hundred feet. Rocks of a greyish colour, and rather friable, are here found in many places on the river.* On the banks grow willows of a different form from those found below, and on the margin of the Mississippi ; the last are very brittle ; these, on the contrary, are extremely pliant, resembling the osier, of which they are probably a species.

At noon on the 24th, they arrived at the confluence of the lesser Missouri with the Washita ; the former is a considerable branch, perhaps the fourth of the Washita, and comes in from the left hand. The hunters often ascend the Little Missouri, but are not inclined to penetrate far up, because it reaches near the great plains or prairies upon the Red river, visited by the lesser Osage tribes of Indians, settled on Arkansa ; these last frequently carry war into the Chadadoquis tribe settled on the Red river, about west, south-west from this place, and indeed they are reported not to spare any nation or people. They are prevented from visiting the head waters of the Washita by the steep hills in which they rise. These mountains are so difficult to travel over, that the savages not having an object sufficiently desirable, never attempt to penetrate to this river, and it is supposed to be unknown to the nation. The Cadadoquis (or Cadaux, as the French pronounce the word) may be considered as Spanish Indians ; they boast, and it is said with truth, that they never have imbrued their hands in the blood of a white man. It is said that the stream of the Little Missouri, some distance from its mouth, flows over a bright splendid bed of mineral of a yellowish white colour, (most probably martial pyrites) that thirty years ago, several of the inhabitants, hunters, worked upon this mine, and sent a quantity of the ore to the government at New Orleans, and they were prohibited from working any more.

There is a great sameness in the appearance of the river banks : the islands are skirted with osier, and immediately within, on the bank, grows a

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* The banks rise into hills of free stone of a very sharp and fine grit, fit for grind stones. The strata irregular, inclining from 20 degrees to 30 degrees down the river.

range of birch trees and some willows ; the more elevated banks are covered with cane, among which grows the oak, maple, elm, sycamore, ash, hickory, dog wood, holly, ironwood, &c. From the pilot they learned that there is a body of excellent land on the Little Missouri, particularly on the creek called the " Bayau a terre noire," which falls into it. This land extends to Red river and is connected with the great prairies which form the hunting grounds of the Cadaux nation, consisting of about two hundred warriors. They are warlike, but frequently unable to defend themselves against the tribe of Osages, settled on the Arcansa river, who passing round the mountains at the head of the Washita, and along the prairies, which separate them from the main chain on the west, where the waters of the Red and Acansa rivers have their rise, pass into the Cadaux country, and rob and plunder them.

The water in the river Washita rising, the party are enabled to pass the numerous rapids and shoals which they meet with in the upper country ; some of which are difficult of ascent. The general height of the main banks of the river is from six to twelve feet above the level of the water ; the land is better in quality, the canes, &c. shewing a more luxuriant vegetation. It is subject to inundation, and shews a brown soil mixed with sand. Near Cache Maçon (Maison's hiding place) on the right, they stopped to examine a supposed coal mine : doctor Hunter and the pilot set out for this purpose and at about a mile and a half north-west from the boat, in the bed of a creek,* they found a substance similar to what they had before met with under that name, though more advanced towards a state of perfect coal. At the bottom of the creek, in a place then dry, was found detached pieces of from 50 to 100 pounds weight, adjoining to which lay wood changing into the same substance. A stratum of this coal, 6 inches thick, lay on both sides of this little creek, over another of yellow clay, and covered by one foot of gravel ; on the gravel is 8 inches of loam, which bears a few inches of vegetable mould. This stratum of coal is about 3 feet higher than the water in the creek, and appears manifestly to have been, at some period, the surface of the ground. The gravel and loam have been deposited there since, by the waters. Some pieces of this coal were very black and solid, of an homogeneous appearance, much resembling pit coal, but of less specifick gravity. It does not appear sufficiently impregnated with bitumen, but may be considered as vegetable matter in the progress of transmutation to coal.

Below the " Bayau de l'eau Froide," which runs into the Washita from the right, the river is one hundred and seventy yards, flowing through tolerably good land. They passed a beautiful forest of pines, and on the 28th fell in with an old Dutch hunter and his party, consisting in all of five persons.

This man has resided forty years on the Washita, and before that period, has been up the Arcansa river, the White river, and the river St. Francis ; the two last, he informs, are of difficult navigation, similar to the Washita, but the Arkansa river is of great magnitude, having a large and broad channel, and when the water is low, has great sand banks, like those in the Mississippi. So far as he has been up it the navigation is safe and commodious, without impediments from rocks, shoals, or rapids ; its bed being formed of mud and sand. The soil on it is of the first rate quality. The country is easy of access, being lofty open forests, unembarrassed by cans or under growth. The water is disagreeable to drink, being of a red colour and brackish when the river is low. A multitude of creeks which flow into the Arkansa furnish sweet water, which the voyager is obliged to carry with him for the supply of his immediate wants. This man confirms the ac-

* Called Coal-mine creek.

counts of silver being abundant up that river: he has not been so high as to see it himself, but says he received a silver pin from a hunter, who assured him that he himself collected the virgin silver from the rock, out of which he made the epinglete by hammering it out. The tribe of the Osage live higher up than this position, but the hunters rarely go so high, being afraid of these savages, who are at war with all the world, and destroy all strangers they meet with. It is reported that the Arcansa nation, with a part of the Choctaws, Chickasaws, Shawneese, &c. have formed a league, and are actually gone, or going, 800 strong, against these depredators, with a view to destroy or drive them entirely off, and possess themselves of their fine prairies, which are most abundant hunting ground, being plentifully stocked with buffaloe, elk, deer, bear, and every other beast of the chase common to those latitudes in America. This hunter having given information of a small spring in their vicinity, from which he frequently supplied himself by evaporating the water, doctor Hunter, with a party, accompanied him, on the morning of the 29th November, to the place. They found a saline, about a mile and a half north of the camp from whence they set out, and near a creek which enters the Washita a little above. It is situated in the bottom of the bed of a dry gulley. The surrounding land is rich, and well timbered, but subject to inundation, except an Indian mount on the creek side, having a base of eighty or a hundred feet diameter, and twenty feet high. After digging about three feet, through blue clay, they came to a quicksand, from which the water flowed in abundance: its taste was salt and bitter, resembling that of water in the ocean. In a second hole it required them to dig six feet before they reached the quicksand, in doing which they threw up several broken pieces of Indian pottery. The specifick gravity, compared with the river, was, from the first pit, or that three feet deep, 1,02720, from the second pit, or that six feet deep, 1,02104, yielding a saline mass, from the evaporation of ten quarts, which, when dry, weighed eight ounces: this brine is, therefore, about the same strength as that of the ocean on our coast, and twice the strength of the famous licks in Kentucky called Bullet's lick, and Mann's lick, from which so much salt is made.

The "fourche de Cadaux" (Cadadoquis fork) which they passed on the morning of the 30th, is about one hundred yards wide at its entrance into the Washita, from the left: immediately beyond which, on the same side the land is high, probably elevated three hundred feet above the water. The shoals and rapids here impede their progress. At noon they deduced their latitude, by observation, to be 30°. 11′. 37″. N. Receiving information of another salt lick, or saline, doctor Hunter landed, with a party, to view it. The pit was found in a low flat place, subject to be overflowed from the river; it was wet and muddy, the earth on the surface yellow, but on digging through about 4 feet of blue clay, the salt water oozed from a quicksand. Ten quarts of this water produced, by evaporation, 6 ounces of a saline mass, which, from taste, however, shewed an admixture of soda, and muriated magnesia, but the marine salt greatly preponderated. The specifick gravity was about 1,076, probably weakened from the rain which had fallen the day before. The ascent of the river becomes more troublesome, from the rapids and currents, particularly at the "isle du bayau des Roches" (Rocky creek island) where it required great exertions, and was attended with some hazard to pass them. This island is three fourths of a mile in length. The river presents a series of shoals, rapids, and small cataracts; and they passed several points of high land, full of rocks and stones, much harder and more solid than they had yet met with.

The rocks were all silicious, with their fissures penetrated by sparry matter. Indications of iron were frequent, and fragments of poor ore were

common, but no rich ore of that, or any other metal, was found. Some of the hills appear well adapted to the cultivation of the vine; the soil being a sandy loam, with a considerable proportion of gravel, and a superficial covering of good vegetable black earth. The natural productions are, several varieties of oak, pine, dogwood, holly, &c. with a scattering undergrowth of whortleberry, hawthorn, china briar, and a variety of small vines.

Above the Isle de Mallon, the country wears another prospect, high lands and rocks frequently approach the river. The rocks in grain, resemble free stone, and are hard enough to be used as hand mill stones, to which purpose they are frequently applied. The quality of the lands improves, the stratum of vegetable earth being from six to twelve inches, of a dark brown colour, with an admixture of loam and sand. Below Deer Island they passed a stratum of free stone, fifty feet thick, under which is a quarry of imperfect slate in perpendicular layers. About a league from the river, and a little above the slate quarry, is a considerable plain, called "Prairie de Champignole," often frequented by buffaloe. Some salt licks are found near it, and in many situations on both sides of this river, there are said to be salines which may hereafter be rendered very productive, and from which the future settlements may be abundantly supplied.

About 4 miles below the "chuttes," (falls) they, from a good observation, found the latitude 34°. 21′ 25″. 5. The land on either hand continues to improve in quality, with a sufficient stratum of dark earth of brownish colour. Hills frequently rise out of the level country, full of rocks and stones, hard and flinty, and often resembling Turkey oil stones. Of this kind was a promontory which came in from the right hand, a little below the chuttes; at a distance it presented the appearance of ruined buildings and fortifications, and several insulated masses of rock conveyed the idea of redoubts and out-works. This effect was heightened by the rising of a flock of swans which had taken their station in the water, at the foot of these walls. As the voyagers approached, the birds floated about majestically on the glassy surface of the water, and in tremulous accents seemed to consult upon means of safety. The whole was a sublime picture. In the afternoon of the third of December, they reached the chuttes, and found the falls to be occasioned by a chain of rocks of the same hard substance seen below, extending in the direction of north-east and south-west, quite across the river. The water passes through a number of branches worn by the impetuosity of the torrent where it forms so many cascades. The chain of rock or hill on the left, appears to have been cut down to its present level by the abrasion of the waters. By great exertion, and lightening the boat, they passed the chuttes this evening and encamped just above the cataracts, and within the hearing of their incessant roar.

Immediately above the chuttes, the current of the water is slow, to another ledge of hard free stone; the reach between is spacious, not less than two hundred yards wide, and terminated by a hill, three hundred feet high covered with beautiful pines: this is a fine situation for building. In latitude 34° 25′ 48″ they passed a very dangerous rapid, from the number of rocks which obstruct the passage of the water, and break it into foam. On the right of the rapid is a high rocky hill covered with very handsome pine woods. The strata of the rock has an inclination of 30° to the horizon in the direction of the river descending. This hill may be three hundred or three hundred and fifty feet high; a border or list of green cane skirts the margin of the river, beyond which generally rises a high and sometimes a barren hill. Near another rapid they passed a hill on the left, containing a large body of blue slate. A small distance above the bayau de Saline they had to pass a rapid of one hundred and fifty yards in length, and four feet and a half fall,

which, from its velocity, the French have denominated "La Cascade." Below the cascade there are rocky hills on both sides composed of very hard free stone. The stone in the bed of the river, and which has been rolled from the upper country, was of the hardest flint, or of a quality resembling the Turkey oil stone. "Fourche au Tigree," (Tyger's creek), which comes in from the right, a little above the cascade, is said to have many extensive tracts of rich level land upon it. The rocky hills here frequently approach the Washita on both sides; rich bottoms are nevertheless infrequent, and the upland is sometimes of moderate elevation and tolerably level. The stones and rocks here met with have their fissures filled by sparry and chrystaline matter.

Wild turkies become more abundant and less difficult of approach than below; and the howl of the wolves is heard during the night.

To the "Fourche of Calfat," (Caulker's creek) where the voyage terminates, they found level and good land on the right and high hills on the left hand. After passing over a very precipitous rapid, seemingly divided into four steps or falls, one of which was at least fifteen inches in perpendicular height, and which together could not be less than five and a half feet, they arrived at Ellis's camp, a small distance below the Fourche au Calfat, where they stopped on the sixth of December, as the pilot considered it the most convenient landing from whence to carry their necessary baggage to the hot springs, the distance being about three leagues. There is a creek about two leagues higher up, called "bayau des sources chauds," (hot spring creek) upon the banks of which the hot springs are situated at about two leagues from its mouth. The banks of it are hilly, and the road less eligible than from Ellis's camp.

On ascending the hill, to encamp, they found the land very level and good, some plants in flower, and a great many evergreen vines; the forest oak with an admixture of other woods. The latitude of this place is 34° 27′ 31″. 5. The ground on which they encamped was above fifty feet above the water in the river, and supposed to be thirty feet higher than the inundations. Hills of considerable height, and clothed with pine were in view, but the land around, and extending beyond their view, lies handsomely for cultivation. The superstratum is of a blackish-brown colour, upon a yellow basis, the whole intermixed with gravel and blue schistus, frequently so far decomposed as to have a strong allumnious taste. From their camp, on the Washita, to the hot springs, a distance of about nine miles, the first six miles of the road is in a westerly direction without many sinuosities, and the remainder northwardly, which courses are necessary to avoid some very steep hills. In this distance they found 3 principal salt licks, and some inferiour ones, which are all frequented by buffaloe, deer, &c. The soil around them is a white, tenacious clay, probably fit for potters' ware; hence the name of "glaise," which the French hunters have bestowed upon most of the licks, frequented by the beast of the forest, many of which exhibit no saline impregnation. The first two miles from the river camp is over level land of the second rate quality; the timber chiefly oak, intermixed with other trees common to the climate, and a few scattering pines. Further on, the lands, on either hand, rise into gently swelling hills, covered with handsome pine woods. The road passes along a valley frequently wet by numerous rills and springs of excellent water which issue from the foot of the hills. Near the hot springs the hills become more elevated, steeper of ascent and rocky. They are here called mountains, although none of them in view exceed four or five hundred feet in altitude. It is said that mountains of more than five times the elevation of these hills are to be seen in the north-west, towards the sources of the Washita. One of them is called the glass, crystal, or shining mountain, from the vast number of hexagonal prisms of very

transparent & colourless crystal which are found on its surface ; they are generally surmounted by pyramids at one end, rarely on both. These crystals do not produce a double refraction of the rays of light. Many searches have been made over these mountains for the precious metals, but it is believed without success.

At the hot springs they found an open log cabin, and a few huts of split boards, all calculated for summer encampment, and which had been erected by persons resorting to the springs for the recovery of their health.

They slightly repaired these huts, or cabins, for their accommodation during the time of their detention at the springs, for the purpose of examining them and the surrounding country ; and making such astronomical observations as were necessary for ascertaining their geographical position.

It is understood that the hot springs are included within a grant of some hundred acres, granted by the late Spanish commandant of the Washita, to some of his friends, but it is not believed that a regular patent was ever issued for the place ; and it cannot be asserted that residence, with improvement here, form a plea to claim the land upon.

On their arrival they immediately tasted the waters of the hot springs, that is, after a few minutes cooling, for it was impossible to approach it with the lips when first taken up, without scalding : the taste does not differ from that of good water rendered hot by culinary fire.

On the 10th they visited all the hot springs. They issue on the east side of the valley, where the huts are, except one spring, which rises on the west bank of the creek, from the sides and foot of a hill. From the small quantity of calcareous matter yet deposited, the western spring does not appear to be of long standing : a natural conduit probably passes under the bed of the creek, and supplies it. There are four principal springs rising immediately on the east bank of the creek, one of which may be rather said to spring out of the gravel bed of the run ; a fifth, a smaller one than that above mentioned, as rising on the west side of the creek ; and a sixth, of the same magnitude, the most northerly, and rising near the bank of the creek : these are all the sources that merit the name of springs, near the huts ; but there is a considerable one below, and all along, at intervals, the warm water oozes out, or drops from the bank into the creek, as appears from the condensed vapour floating along the margin of the creek where the drippings occur.

The hill from which the hot springs issue is of a conical form, terminating at the top with a few loose fragments of rock, covering a flat space twenty-five feet in diameter. Although the figure of the hill is conical it is not entirely insulated, but connected with the neighbouring hills by a very narrow ridge. The primitive rock of this hill, above the base, is principally silicious, some part of it being of the hardest flint, others a freestone extremely compact and solid, and of various colours. The base of the hill, and for a considerable extent, is composed of a blackish blue schistus, which divides into perpendicular lamina like blue slate. The water of the hot springs is, therefore, delivered from the silicious rock, generally invisible at the surface from the mass of calcareous matter with which it is incrusted, or rather buried, and which is perpetually precipitating from the water of the springs : a small proportion of iron, in the form of a red calx, is also deposited ; the colour of which is frequently distinguishable in the lime.

In ascending the hill several patches of rich black earth are found, which appear to be formed by the decomposition of the calcareous matter : in other situations the superficial earth is penetrated, or encrusted, by limestone, with fine lamina, or minute fragments of iron ore.

The water of the hot springs must formerly nave issued at a greater elevation in the hill, and run over the surface, having formed a mass of calca-

reous rock one hundred feet perpendicular, by its deposition. In this high situation they found a spring, whose temperature was 140°. of Farenheit's thermometer. After passing the calcareous region they found the primitive hill covered by a forest of not very large trees, consisting chiefly of oak, pine, cedar, holly, hawthorn, and others common to the climate, with a great variety of vines, some said to produce black, and others yellow grapes, both excellent in their kinds. The soil is rocky, interspersed with gravel, sand, and fine vegetable mould. On reaching the height of two hundred feet perpendicular, a considerable change in the soil was observable; it was stony and gravelly, with a superficial coat of black earth, but immediately under it lies a stratum of fat, tenacious, soapy, red clay, inclining to the colour of bright Spanish snuff, homogeneous, with scarcely any admixture of sand, no saline, but rather a soft agreeable taste: the timber diminishes, and the rocks increase in size to the summit. The whole height is estimated at three hundred feet above the level of the valley.

On examining the four principal springs, or those which yield the greatest quantity of water, or of the highest temperature, No. 1 was found to raise the mercury to 150°. No. 2 to 154°. No. 3 to 136°. and No. 4 to 132 degrees of Farenheit's thermometer: the last is on the west side of the creek: No.3 is a small basin in which there is a considerable quantity of green matter, having much the appearance of a vegetable body, but detached from the bottom, yet connected with it by something like a stem, which rests in calcareous matter. The body of one of these pseudo plants was from 4 to 5 feet in diameter; the bottom a smooth film of some tenacity, and the upper surface divided into ascending fibres of $\frac{1}{2}$ or $\frac{3}{4}$ of an inch long, resembling the gills of a fish, in transverse rows. A little further on was another small muddy basin, in which the water was warm to the finger: in it was a vermes about $\frac{1}{2}$ an inch long, with a moving serpentine or vermicular motion. It was invariably observed, that the green matter forming on stones & the leaves covered a stratum of calcareous earth, sometimes a little hard, or brittle, at others soft and imperfect. From the bottom of one of the hot springs a frequent ebullition of gas was observed, which not having the means of collecting, they could not ascertain its nature: it was not inflammable, and there is little doubt of its being carbonic acid, from the quantity of lime, & the iron, held in solution by the water.

They made the following rough estimate of the quantity of water delivered by the springs. There are four principal springs, two of inferiour note; one rising out of the gravel, and a number of drippings and drainings, all issuing from the margin, or from under the rock which overhangs the creek. Of the four first mentioned, three deliver nearly equal quantities, but No. 1, the most considerable, delivers about five times as much as one of the other three; the two of inferiour note may, together, be equal to one; and all the droppings, and small springs, are probably underrated at double the quantity of one of the three; that is, all together, they will deliver a quantity equal to eleven times the water issuing from the one most commodiously situated for measurement. This spring filled a vessel of eleven quarts in 11 seconds, hence the whole quantity of hot water delivered from the springs at the base of the hill is 165 gallons a minute, or 3771½ hogsheads in 24 hours, which is equal to a handsome brook, and might work an over-shot mill. In cool weather condensed vapour is seen rising out of the gravel bed of the creek, from springs which cannot be taken into account. During the summer and fall the creek receives little or no water but what is supplied by the hot springs: at that season itself is a hot bath, too hot, indeed, near the springs; so that a person may choose the temperature most agreeable to himself, by selecting a natural basin near to, or farther from, the principal spring. At three or four miles below the springs the water is tepid and unpleasant to drink.

From the western mountain, estimated to be of equal height with that from which the hot springs flow, there are several fine prospects. The valley of the Washita, comprehended between the hills on either side seemed to be a perfect flat, and about twelve miles wide. On all hands were seen the hills, or mountains, as they are here called, rising behind each other. In the direction of north, the most distant were estimated to be fifty miles off, and are supposed to be those of the Arkansa river, or the rugged mountains which divide the waters of the Arkansa from those of the Washita, and prevent the Osage Indians from visiting the latter, of whom they are supposed ignorant, otherwise their excursions here would prevent this place from being visited by white persons, or other Indians. In a south west direction, at about forty miles distance, is seen a perfectly level ridge, supposed to be the high prairies of the Red river.

Notwithstanding the severity of the weather, a considerable number, and some variety of plants were in flower, and others retained their verdure: indeed the ridge was more temperate than the valley below; there it was cold, damp, and penetrating; here dry, and the atmosphere mild. Of the plants growing here was a species of cabbage: the plants grow with expanded leaves spreading on the ground, of a deep green, with a shade of purple: the taste of the cabbage was plainly predominant, with an agreeable warmth, inclining to that of the radish; several tap-roots penetrated into the soil, of a white colour, having the taste of horse-radish, but much milder. A quantity of them taken to the camp and dressed, proved palatable and mild. It is not probable that cabbage seed has been scattered on this ridge; the hunters ascending this river have always had different objects. Until further elucidation, this cabbage must be considered as indigenous to this sequestered quarter, and may be denominated the cabbage radish of the Washita. They found a plant, then green, called by the French "racine rouge," (red root), which is said to be a specifick in female obstructions; it has also been used, combined with the China root, to dye red, the last probably acting as a mordant. The top of this ridge is covered with rocks of a flinty kind, and so very hard as to be improper for gun-flints, for when applied to that use it soon digs cavities in the hammer of the lock. This hard stone is generally white, but frequently clouded with red, brown, black, and other colours. Here and there fragments of iron stone were met with, and where a tree had been overturned, its roots brought to view fragments of schistus, which were suffering decomposition from exposure to the atmosphere. On digging where the slope of the hill was precipitous, they found the second stratum to be a reddish clay, resembling that found on the conical hill, east of the camp. At two-thirds down the hill, the rock was a hard freestone, intermixed with fragments of flint, which had probably rolled from above. Still lower was found a blue schistus, in a state tending to decomposition where exposed to the atmosphere, but hard and resembling coarse slate in the interiour. Many stones had the appearance of Turkey oil stones: at the foot of the hill it expands into good farming lands.

Dr. Hunter, upon examining the waters of the hot springs, obtained the following results:

It differed nothing from the hot water in smell or taste, but caused a slight eructation shortly after drinking it.

Its specifick gravity is equal to rain or distilled water.

It gave to litamus paper, a slight degree of redness, evincing the presence of the carbonick acid, or fixed air sulphurick, and threw down a few detached particles. Oxylat of ammoniack caused a deposition and white cloud, shewing the presence of a small portion of lime. Prusiat of potash produced a slight and scarcely perceptible tinge of blue, designating the presence of a small quantity of iron.

Sixteen pounds of water, evaporated to dryness, left ten grains of a grey powder, which proved to be lime.

The myrtle wax tree grows in the vicinity of the springs. At the season in which the voyagers were there, the wax was no longer green, but had changed its colour to a greyish-white, from its long exposure to the weather. The berry, when examined by the microscope, is less than the smallest garden pea, approaching to an oval in form. The nuclus, or real seed, is the size of the seed of a radish, and is covered with a number of kidney shaped glands, of a brown colour and sweet taste ; these glands secrete the wax which completely envelopes them, and, at this season, gives to the whole the appearance of an imperfectly white berry. This is a valuable plant and merits attention : its favourite position is a dry soil, rather poor, and looking down upon the water. It is well adapted to ornament the margins of canals, lakes, or rivulets. The cassina yapon is equally beautiful, and proper for the same purpose : it grows here along the banks of this stony creek, intermingled with the myrtle, and bears a beautiful little red berry, very much resembling the red currant.

The rock, through which the hot springs either pass or trickle over, appears undermined by the waters of the creek. The hot water is continually depositing calcareous, and, perhaps, some silicious matter, forming new rocks, always augmenting and projecting their promontories over the running water of the creek, which prevents its formation below the surface. Wherever this calcareous crust is seen spreading over the bank and margin of the creek, there, most certainly, the hot water will be found, either running over the surface, or through some channel, perhaps below the new rock, or dripping from the edges of the overhanging precipice. The progress of nature in the formation of this new rock is curious and worthy the attention of the mineralogist. When the hot water issues from the fountain, it frequently spreads over a superficies of some extent ; so far as it reaches, on either hand, there is a deposition of, or growth of green matter. Several lamina of this green matter will be found lying over each other, and immediately under, and in contact with the inferiour lamina, which is not thicker than paper, is found a whitish substance resembling a coagulum ; when viewed with a microscope, this last is also found to consist of several, sometimes a good number of lamina, of which that next the green is the finest and thinnest, being the last formed ; those below increasing in thickness and tenacity, until the last terminates in a soft earthy matter, which reposes in the more solid rock. Each lamina of the coagulum is penetrated in all its parts by calcareous grains, extremely minute, and divided in the more recent web, but much larger and occupying the whole of the inferiour lamina. The understratum is continually consolidating, and adding bulk and height to the rock. When this acquires such an elevation as to stop the passage of the water, it finds another course over the rock, hill, or margin of the creek, forming in turn, accumulations of matter over the whole of the adjacent space. When the water has found itself a new channel, the green matter, which sometimes acquires a thickness of half an inch, is speedily converted into a rich vegetable earth, and becomes the food of plants. The surface of the calcareous rock also decomposes and forms the richest black mould intimately mixed with a considerable portion of soil ; plants and trees vegetate luxuriantly upon it.

On examining a piece of ground, upon which the snow dissolved as it fell, and which was covered with herbage, they found, in some places, a calcareous crust on the surface ; but in general a depth of from five inches to a foot of the richest black mould. The surface was sensibly warm to the touch. In the air the mercury in the thermometer stood at 44° ; when placed four inches under the surface, and covered with earth, it rose rapidly to 66° ;

and upon the calcareous rock, eight inches beneath the surface, it rose to 80°. This result was uniform over the whole surface, which was about a quarter of an acre.

On searching they found a spring, about fifteen inches under the surface, in the water of which the thermometer shewed a temperature of 130°. Beneath the black mould was found a brown mixture of lime and silex, very loose and divisible, apparently in a state of decomposition, and progressing towards the formation of black mould; under this brownish mass it became gradually whiter and harder, to the depth of from six to twelve inches, where it was a calcareous sparkling stone. It was evident that the water had passed over this place, and formed a flat superficies of silicious lime stone; and that its position, nearly level, had faciliated the accumulation of earth, in proportion as the decomposition advanced. Similar spots of ground were found higher up the hill, resembling little savannas, near which hot springs were always discovered, which had once flowed over them. It appears probable that the hot water of the springs, at an early period, had all issued from its grand reservoir in the hill, at a much greater elevation than at present. The calcareous crust may be traced up, in most situations on the west side of the hill looking down the creek and valley, to a certain height, perhaps one hundred feet perpendicular; in this region the hill rises precipitously, and is studded with hard silicious stones; below the descent is more gradual, and the soil a calcareous black earth. It is easy to discriminate the primitive hill, from that which has accumulated, by precipitation, from the water of the springs; this last is entirely confined to the west side of the hill, and washed at its base by the waters of the creek, no hot spring being visible in any other part of its circumference. By actual measurement along the base of the hill the influence of the springs is found to extend seventy perches, in a direction a little to the east of north: along the whole of this space the springs have deposited stony matter, calcareous, with an addition of silex, or crystalized lime. The accumulation of calcareous matter is more considerable at the north end of the hill than the south; the first may be above a hundred feet perpendicular, but sloping much more gradually that the primitive hill above, until it approaches the creek, where not unfrequently it terminates in a precipice of from six to twenty feet. The difference between the primitive and secondary hill is so striking, that a superficial observer must notice it; the first is regularly very steep, and studded with rock and stone of the hardest flint and other silicious compounds, and a superficies of two or three inches of good mould covers a red clay; below, on the secondary hill, which carries evident marks of recent formation, no flint, or silicious stone, is found; the calcareous rock conceals all from view, and is, itself, frequently covered by much fine rich earth. It would seem that this compound, precipitated from the hot waters, yields easily to the influence of the atmosphere; for where the waters cease to flow over any portion of the rock, it speedily decomposes; probably more rapidly from the heat communicated from the interiour of the hill, as insulated masses of the rock are observed to remain without change.

The cedar, the wax myrtle, and the cassina yapon, all evergreens, attach themselves particularly to the calcareous region, and seem to grow and thrive even in the clefts of the solid rock.

A spring, enjoying a freedom of position, proceeds with great regularity in depositing the matter it holds in solution; the border or rim of its basin forms an elevated ridge, from whence proceeds a glacis all around, where the waters have flowed for some time over one part of the brim; this becomes more elevated, and the water has to seek a passage where there is less resistance; thus forming, in miniature, a crater, resembling in shape the conical summit of a volcano. The hill being steep above the progress

of petrifaction is stopped on that side, and the waters continue to flow and spread abroad, incrusting the whole face of the hill below. The last formed calcareous border of the circular basin is soft, and easily divided ; at a small depth it is more compact ; and at a depth of six inches it is generally hard white stone. If the bottom of the basin is stirred up, a quantity of the red calx of iron rises, and escapes over the summit of the crater.

Visitants to the hot springs, having observed shrubs and trees with their roots in the hot water, have been induced to try experiments, by sticking branches of trees in the run of hot water. Some branches of the wax myrtle were found thrust into the bottom of a spring run, the water of which was 130°. by Fahrenheit's thermometer ; the foliage and fruit of the branch were not only sound and healthy, but at the surface of the water roots were actually sprouting from it : on pulling it up the part which had penetrated the hot mud was found decayed.

The green substance discoverable at the bottom of the hot springs, and which at first sight has the appearance of plush, on examination by the microscope, was found to be a vegetable production. A film of green matter spreads itself on the calcareous base, from which rise fibres more than half an inch in length, forming a beautiful vegetation. Before the microscope it sparkled with innumerable nodules of lime, some part of which was beautifully crystalized. This circumstance might cause a doubt of its being a true vegetable, but its great resemblance to some of the mosses, particularly the byssi, and the discovery which Mr. Dunbar made of its being the residence of animal life, confirmed his belief in its being a true moss. After a diligent search he discovered a very minute shell fish, of the bivalve kind, inhabiting this moss ; its shape nearly that of the fresh water muscle ; the colour of the shell a greyish brown, with spots of a purplish colour. When the animal is undisturbed it opens the shell, and thrusts out four legs, very transparent, and articulated like those of a quadruped ; the extremities of the fore legs are very slender and sharp, but those of the hind legs somewhat broader, apparently armed with minute toes : from the extremity of each shell issues three of four forked hairs, which the animal seems to possess the power of moving ; the fore legs are probably formed for making incisions into the moss for the purpose of procuring access to the juices of the living plant, upon which, no doubt, it feeds : it may be provided with a proboscis, although it did not appear while the animal was under examination : the hind legs are well adapted for propelling it in its progress over the moss, or through the water.

It would be desirable to ascertain the cause of that perpetual fire, which keeps up the high temperature of so many springs, as flow from this hill, at a considerable distance from each other : upon looking around, however, sufficient data for the solution of the difficulty is not discoverable. Nothing of a volcanick nature is to be seen in this country ; neither could they learn that any evidence in favour of such a supposition was to be found in the mountains connected with this river. An immense bed of dark blue schistus appears to form the base of the hot spring hill, and of all those in its neighbourhood : the bottom of the creek is formed of it ; and pieces are frequently met with rendered soft by decomposition, and possessing a strong alumnious taste, requiring nothing but lixiviation and crystalization to complete the manufacture of alum. As bodies undergoing chemical changes generally produced an alteration of temperature, the heat of these springs may be owing to the disengagement of calorick, or the decomposition of the schistus : another and perhaps a more satisfactory cause may be assigned : it is well known, that within the circle of the waters of this river vast beds of martial pyrites exist ; they have not yet, however, been discovered in the vicinage of the hot springs, but may, nevertheless, form immense beds

under the bases of these hills ; and as in one place at least, there is evidence of the presence of bitumen,* the union of these agents will in the progress of decomposition, by the admission of air and moisture, produce degrees of heat capable of supporting the phenomena of the hot springs. No sulphurick acid is present in this water ; the springs may be supplied by the vapour of heated water, ascending from caverns where the heat is generated, or the heat may be immediately applied to the bottom of an immense natural caldron of rock, contained in the bowels of the hill, from which as a reservoir the springs may be supplied.

A series of accurate observations determined the latitude of the hot springs to be 34° 31′ 4″, 16 N. and long 6h. 11′ 25″, or 92° 50′ 45″ west from the meridian of Greenwich.

While Mr. Dunbar was making arrangements for transporting the baggage back to the river camp, doctor Hunter, with a small party, went on an excursion into the country. He left the hot springs on the morning of the 27th, and after travelling sometimes over hills and steep craggy mountains with narrow valleys between them, then up the valleys and generally by the side of a branch emptying into the Washita, they reached the main branch of the Calfat in the evening, about twelve miles from the springs. The stones they met with during the first part of the day were silicious, of a whitish-grey, with flints white, cream-coloured, red, &c. The beds of the rivulets, and often a considerable way up the hills, shewed immense bodies of schistus, both blue and grey, some of it effloresceing and tasting strongly of alum. The latter part of the day, they travelled over and between hills of black, hard, and compact flint in shapeless masses, with schist as before. On ascending these high grounds you distinctly perceive the commencement of the piney region, beginning at the height of sixty or seventy feet and extending to the top. The soil in these narrow valleys is thin and full of stones. The next day, which was stormy, they reached a branch of the bayau de saline, which stretches towards the Arkansa, and empties into the Washita many leagues below, having gone about twelve miles. The mountains they had passed being of the primitive kind, which seldom produce metals, and having hitherto seen nothing of a mineral kind, a little poor iron ore excepted, and the face of the country, as far as they could see, presenting the same aspect ; they returned to the camp, at the hot springs, on the evening of the thirtieth, by another route, in which they met with nothing worthy notice.

In consequence of the rains which had fallen, Mr. Dunbar, and those who were transporting the baggage to the river camp, found the road watry. The soil on the flat lands under the stratum of vegetable mould is yellowish, and consists of decomposed schistus, of which there are immense beds in every stage of dissolution, from the hard stone recently uncovered and partially decomposed to the yellow and apparently homogeneous earth. The covering of vegetable earth between the hills and the river is, in most places, sufficiently thick to constitute a good soil, being from four to six inches ; and it is the opinion of the people upon the Washita, that wheat will grow here to great perfection. Although the higher hills, three hundred to six hundred feet in height, are very rocky, yet the inferiour hills, and the sloping bases of the first, are generally covered with a soil of a middling quality. The natural productions are sufficiently luxuriant, consisting chiefly of black and red oak, intermixed with a variety of other woods, and a considerable undergrowth. Even on these rocky hills are three or

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* Having thrust a stick down into the crater of one of the springs, at some distance up the hill, several drops of petroleum, or naptha, rose and spread upon the surface : it ceased to rise after three or four attempts.

four species of vines, said to produce annually an abundance of excellent grapes. A great variety of plants which grow here, some of which in their season are said to produce flowers highly ornamental, would probably reward the researches of the botanist.

On the morning of the 8th of January, 1805, the party left Ellis's on the river camp, where they had been detained for several days waiting for such a rise in the waters of the river, as would carry their boat in safety over the numerous rapids below. A rise of about six feet, which had taken place the evening before, determined them to move this morning; and they passed the chuttes about one o'clock. They stopped to examine the rocky promontary below these falls, and took some specimens of the stone which so much resembles the Turkey oil stone. It appears too hard. The strata of this chain were observed to run perpendicularly nearly east and west, crossed by fissures at right angles from five to eight feet apart; the lamina from one fourth of an inch to five inches in thickness. About a league below, they landed at Whetstone hill and took several specimens. This projecting hill is a mass of greyish blue schistus of considerable hardness, and about twenty feet perpendicular, not regularly so, and from a quarter to two inches in thickness, but does not split with an even surface.

They landed again on the morning of the 9th, in sight of the bayau de la prairie de champignole, to examine and take specimens of some free stone and blue slate. The slate is a blue schistus, hard, brittle, and unfit for the covering of a house; none proper for that purpose have been discovered, except on the Calfat, which Dr. Hunter met with in one of his excursions.

On the evening of the 10th they encamped near Arclon's Troughs, having been only three days in descending the distance which took them thirteen to ascend. They stopped some time at the camp of a Mr. Le Fevre. He is an intelligent man, a native of the Illinois, but now residing at the Arkansas. He came here with some Delaware and other Indians, whom he had fitted out with goods, and receives their peltry, fur, &c. at a stipulated price, as it is brought in by the hunters. Mr. Le Fevre possesses considerable knowledge of the interiour of the country; he confirms the account before obtained, that the hills or mountains which give rise to this little river are in a manner insulated; that is, they are entirely shut in and inclosed by the immense plains or prairies which extend beyond the Red river, to the south, and beyond the Missouri, or at least some of its branches, to the north, and range along the eastern base of the great chain, or dividing ridge, commonly known by the name of the sand hills, which separate the waters of the Mississippi from those which fall into the Pacifick ocean. The breadth of this great plain is not well ascertained. It is said by some to be at certain parts, or in certain directions, not less than two hundred leagues; but it is agreed by all who have a knowledge of the western country, that the mean breadth is at least two thirds of that distance. A branch of the Missouri called the river Platte, or Shallow river, is said to take its rise so far south as to derive its first waters from the neighbourhood of the sources of the Red and Arkansa rivers. By the expression plains or prairies, in this place, is not to be understood a dead flat, resembling certain savannas, whose soil is stiff and impenetrable, often under water, and bearing only a coarse grass resembling reeds; very different are the western prairies, which expression signifies only a country without timber. These prairies are neither flat nor hilly, but undulating into gently swelling lawns and expanding into spacious vallies, in the centre of which is always found a little timber growing on the banks of the brooks and rivulets of the finest waters. The whole of these prairies are represented to be composed of the richest and most fertile soil; the most luxuriant and succulent herbage covers the surface of the earth, interspersed with millions of flowers

and flowering shrubs, of the most ornamental kinds. Those who have viewed only a skirt of these prairies, speak of them with enthusiasm, as if it was only there that nature was to be found truly perfect; they declare, that the fertility and beauty of the rising grounds, the extreme richness of the vales, the coolness and excellent quality of the water found in every valley, the salubrity of the atmosphere, and above all the grandeur of the enchanting landscape which this country presents, inspire the soul with sensations not to be felt in any other region of the globe. This paradise is now very thinly inhabited by a few tribes of savages, and by the immense herds of wild cattle, (bison) which people these countries. The cattle perform regular migrations according to the seasons, from south to north, and from the plains to the mountains; and in due time, taught by their instincts, take a retrogade direction. These tribes move in the rear of the herds, and pick up stragglers, and such as lag behind, which they kill with the bow and arrow, for their subsistence. This country is not subjected to those sudden deluges of rain which in most hot countries, and even in the Mississippi territory, tear up and sweep away with irresistable fury, the crop and soil together: on the contrary, rain is said to become more rare in proportion as the great chain of mountain is approached; and it would seem that within the sphere of the attraction of those elevated ridges, little or no rain falls on the adjoining plains. This relation is the more credible, as in that respect our new country may resemble other flat or comparatively low countries, similarly situated; such as the country lying between the Andes and the western Pacifick; the plains are supplied with nightly dews so extremely abundant, as to have the effect of refreshing showers of rain; and the spacious vallies, which are extremely level, may with facility be watered by the rills and brooks which are never absent from these situations. Such is the description of the better known country lying to the south of Red river, from Nacogdoches towards St. Antonio, in the province of Taxus: the richest crops are said to be procured there without rain; but agriculture in that quarter is at a low ebb: the small quantities of maize furnished by the country, is said to be raised without cultivation. A rude opening is made in the earth, sufficient to deposit the grain, at the distance of four or five feet, in irregular squares, and the rest is left to nature. The soil is tender, spongy and rich, and seems always to retain humidity sufficient, with the bounteous dews of Heaven, to bring the crops to maturity.

The Red and Arcansa rivers, whose courses are very long, pass through portions of this fine country. They are both navigable to an unknown distance by boats of proper construction; the Arcansa river is, however, understood to have greatly the advantage with respect to the facility of navigation. Some difficult places are met with in the Red river below the Nakitosh, after which it is good for one hundred and fifty leagues (probable computed leagues of the country, about two miles each); there the voyager meets with a very serious obstacle, the commencement of the "raft," as it is called; that is, a natural covering which conceals the whole river for an extent of seventeen leagues, continually augmenting by the driftwood brought down by every considerable fresh. This covering, which, for a considerable time, was only drift-wood, now supports a vegetation of every thing abounding in the neighbouring forest, not excepting trees of a considerable size; and the river may be frequently passed without any knowledge of its existence. It is said that the annual inundation is opening for itself a new passage through the low grounds near the hills; but it must be long before nature, unaided, will excavate a passage sufficient for the waters of Red river. About fifty leagues above this natural bridge, is the residence of the Cadeaux or Cadadoquies nation, whose good qualities are already mentioned. The inhabitants estimate the post of Nakitosh to be half way

between New Orleans and the Cadeaux nation. Above this point the navigation of Red river is said to be embarrassed by many rapids, falls, and shallows. The Arcansa river is said to present a safe, agreeable, and uninterrupted navigation as high as it is known. The lands on each side are of the best quality, and well watered with springs, brooks, and rivulets, affording many situations for mill-seats. From description it would seem that along this river there is a regular gradation of hill and dale, presenting their extremities to the river; the hills are gently swelling eminences, and the dales, spacious vallies with living water meandering through them; the forests consist of handsome trees, chiefly what is called open woods. The quality of the land is supposed superiour to that on Red river, until it ascends to the prairie country, where the lands on both rivers are probably similar. About two hundred leagues up the Arcansa is an interesting place called the Salt prairie: there is a considerable fork of the river there, and a kind of savanna where the salt water is continually oozing out and spreading over the surface of a plain. During the dry summer season the salt may be raked up in large heaps; a natural crust of a hand breadth in thickness is formed at this season. This place is not often frequented, on account of the danger from the Osage Indians; much less dare the white hunters venture to ascend higher, where it is generally believed that silver is to be found. It is further said, that high up the Arcansa river salt is found in form of a solid rock, and may be dug out with the crow-bar. The waters of the Arcansa, like those of Red river, are not potable during the dry season, being both charged highly with a reddish earth or mould, and extremely brackish. This inconvenience is not greatly felt upon the Arcansa, where springs and brooks of fresh water are frequent; the Red river is understood not to be so highly favoured. Every account seems to prove, that immense natural magazines of salt must exist in the great chain of mountains to the westward; as all the rivers in the summer season, which flow from them, are strongly impregnated with that mineral, and are only rendered palatable after receiving the numerous streams of fresh water which join them in their course. The great western prairies, besides the herds of wild cattle, (bison, commonly called buffaloe) are also stocked with vast numbers of wild goat (not resembling the domestick goat) extremely swift footed. As the description given of this goat is not perfect, it may from its swiftness prove to be the antelope, or it possibly may be a goat which has escaped from the Spanish settlements of New Mexico. A Canadian, who had been much with the Indians to the westward, speaks of a wool-bearing animal, larger than a sheep, the wool much mixed with hair, which he had seen in large flocks. He pretends also to have seen a unicorn, the single horn of which, he says, rises out of the forehead and curls back, conveying the idea of the fossil cornu ammonis. This man says, he has travelled beyond the great dividing ridge so far as to have seen a large river flowing to the westward. The great dividing monutain is so lofty that it requires two days to ascend from the base to its top; other ranges of inferiour mountains lie before and behind it; they are all rocky and sandy. Large lakes and vallies lie between the mountains. Some of the lakes are so large as to contain considerable islands; and rivers flow from some of them. Great numbers of fossil bones, of very large dimensions, are seen among the mountains, which the Canadian supposes to be the elephant. He does not pretend to have seen any of the precious metals, but has seen a mineral which he supposes might yield copper. From the top of the high mountain the view is bounded by a curve as upon the ocean, and extends over the most beautiful prairies, which seem to be unbounded, particularly towards the east. The finest of the lands he has seen are on the Missouri; no other can compare in richness and fertility with them. This Canadian, as well as Le Fevre, speak of the Osages of the tribe of Whitehairs, as lawless and unprincipled: and the other In-

dian tribes hold them in abhorrence as a barbarous and uncivilized race: and the different nations who hunt in their neighbourhood, have their concerting plans for their destruction. On the morning of the 11th the party passed the petit ecor a Fabri. The osier, which grows on the beaches above, is not seen below upon this river; and here they began to meet with the small tree called 'chanier' which grows only on the water side, and is met with all the way down the Washita. The latitude of 33° 40′ seems the northern boundary of the one, and the southern boundary of the other of those vegetables. Having noticed the limit set to the long moss, (Telandsia) on the ascent of the river, in latitude 33°, Mr. Dunbar made inquiry of Mr. Le Fever, as to its existence on the Arcansa settlement, which is known to lie in about the same parallel; he said, that its growth is limited about ten miles south of the settlement, and that as remarkably, as if a line had been drawn east and west for the purpose; as it ceases all at once, and not by degrees. Hence it appears, that nature has marked with a distinguishing feature, the line established by congress, between the Orleans and Louisiana territories. The cypress is not found on the Washita higher than thirty-four degrees of north latitude.

In ascending the river, they found their rate of going to exceed that of the current about six miles and a half in twenty-four hours; and that on the 12th, they had passed the apex of the tide or wave, occasioned by the fresh, and were descending along an inclined plane; as they encamped at night, they found themselves in deeper water the next morning, and on a more elevated part of the inclined plane than they had been in the preceding evening, from the progress of the apex of the tide during their repose.

At noon, on the 16, they reached the post of the Washita.

Mr. Dunbar being anxious to reach the Natchez as early as possible, and being unable to procure horses at the post, took a canoe with one soldier and his own domestick, to push down to the Catahoola, from whence to Concord there is a road of 30 miles across the low grounds. He set off early on the morning of the 20th, and at night reached the settlement of an old hunter, with whom he had conversed on his way up the river. This man informed him, that at the place called the mine, on the Little Missouri, there is a smoke which ascends perpetually from a particular place, and that the vapour is sometimes insupportable. The river, or a branch of it, passes over a bed of mineral, which, from the description given, is, no doubt, martial pyrites. In a creek, or branch of the Fourche a' Luke,* there is found on the beaches and in the cliffs, a great number of globular bodies, some as large, or larger, than a man's head, which, when broken, exhibit the appearance of gold, silver, and precious stones; most probably pyrites and crystalized spar. And at the Fourche des Glaises a' Paul, (higher up the river than Fourche a' Luke) near the river there is a cliff full of hexagonal prisms, terminated by pyramids, which appear to grow out of the rock; they are from six to eight inches in length, and some of them are an inch in diameter. There are beds of pyrites found in several small creeks communicating with the Washita, but it appears that the mineral indications are greatest on the Little Missouri, because, as before noted, some of the hunters actually worked on them, and sent a parcel of the ore to New Orleans. It is the belief here, that the mineral contains precious metal, but that the Spanish government did not choose a mine should be opened so near to the

*Three leagues above Ellis' camp.

British settlements. An express prohibition was issued against working these mines.

At this place, Mr. Dunbar obtained one or two slips of the "bois d' arc," (bow wood) or yellow wood, from the Missouri. The fruit which had fallen before maturity, lay upon the ground. Some were of the size of a small orange, with a rind full of tubercles ; the colour, though it appeared faded, still retained a resemblance to pale gold.

The tree in its native soil, when laden with its golden fruit, (nearly as large as the egg of an ostrich), presents the most splendid appearance ; its foliage is of a deep green, resembling the varnished leaf of the orange tree, and, upon the whole, no forest tree can compare with it in ornamental grandeur. The bark of the young trees resembles, in texture, the dog wood bark ; the appearance of the wood recommends it for trial as an article which may yield a yellow dye. It is deciduous ; the branches are numerous, and full of short thorns or prickles, which seem to point it out as proper for hedges or live fences. This tree is known to exist near the Nakitosh (perhaps in latitude 32°), and upon the river Arcansa, high up (perhaps in lat. 36°) ; it is therefore probable that it may thrive from latitude 38° to 40° and will be a great acquisition to the United States if it possess no other merit than that of being ornamental.

In descending the river, both Mr. Dunbar and Dr. Hunter searched for the place said to yield gypsum, or plaister of Paris, but failed. The former gentleman states, that he has no doubt of its existence, having noted two places where it has been found ; one of which is the first hill or high land which touches the river on the west, above the bayau Calumet, and the other is the second high land on the same side. As these are two points of the same continued ridge, it is probable that an immense body of gypsum will be found in the bowels of the hills where they meet, and perhaps extending far beyond them.

On the evening of the 22d, Mr. Dunbar arrived at the Catahoola, where a Frenchman of the name of Hebrard, who keeps the ferry across Black river, is settled. Here the road from the Washita forks, one branch of it leading to the settlement on Red river, and the other up to the post on the Washita. The proprietor of this place has been a hunter and a great traveller up the Washita and into the western country : he confirms generally the accounts received from others. It appears from what they say that in the neighbourhood of the hot springs, but higher up, among the mountains, and upon the Little Missouri, during the summer season, explosions are very frequently heard, proceeding from under the ground : and not rarely a curious phenomenon is seen, which is termed the blowing of the mountains ; it is confined elastic gas forcing a passage through the side or top of a hill, driving before it a great quantity of earth and mineral matter. During the winter season the explosions and blowing of the mountains entirely cease, from whence we may conclude, that the cause is comparatively superficial, being brought into action by the increased heat of the more direct rays of the summer sun.

The confluence of the Washita, Catahoola and Tenza, is an interesting place. The last of these communicates with the Mississippi low lands, by the intervention of other creeks and lakes, and by one in particular, called "Bayau d'Argent," which empties into the Mississippi, about fourteen miles above Natchez. During high water there is a navigation for batteaux of any burthen along the bayau. A large lake, called St. John's lake, occupies a considerable part of the passage between the Mississippi and the Tenza ; it is in a horse shoe form, and has, at some former period, been the bed of the Mississippi : the nearest part of it is about one mile removed

from the river at the present time. This lake, possessing elevated banks, similar to those of the river, has been lately occupied and improved. The Catahoola bayau is the third navigable stream : during the time of the inundation there is an excellent communication by the lake of that name, and from thence, by large creeks, to the Red river. The country around the point of union of these three rivers is altogether alluvial, but the place of Mr. Hebrard's residence is no longer subject to inundation. There is no doubt, that as the country augments in population and riches, this place will become the site of a commercial inland town, which will keep pace with the progress and prosperity of the country. One of the Indian mounts here is of a considerable elevation, with a species of rampart surrounding a large space, which was, no doubt, the position of a fortified town.

While here, Mr. Dunbar met with an American, who pretended to have been up the Arkansa river three hundred leagues. The navigation of this river, he says, is good to that distance, for boats drawing three or four feet water. Implicit faith, perhaps, ought not to be given to his relation, respecting the quantity of silver he pretends to have collected there. He says he has found silver on the Washita, thirty leagues above the hot springs, so rich, that three pounds of it yielded one pound of silver, and that this was found in a cave. He asserts, also, that the ore of the mine upon the little Missouri was carried to Kentucky, by a person of the name of Boon, where it was found to yield largely in silver. This man says he has been up the Red river likewise, and that there is a great rapid just below the raft, or natural bridge, and several others above it ; that the Caddo nation is about fifty leagues above the raft, and near to their village commences the country of the great prairies, which extend four or five hundred miles to the west of the sand mountains, as they are termed. These great plains reach far beyond the Red river to the south, and northward over the Arkansa river, and among the numerous branches of the Missouri. He confirms the account of the beauty and fertility of the western country.

On the morning of the 25th Mr. Dunbar set out, on horseback, from the Catahoola to Natchez. The rain which had fallen on the preceding days rendered the roads wet and muddy, and it was two in the afternoon before he reached the Bayau Crocodile, which is considered half way between the Black river and the Mississippi. It is one of the numerous creeks in the low grounds which assist in venting the waters of the inundation. On the margins of the water courses the lands are highest, and produce canes ; they fall off, in the rear, into cypress swamps and lakes. The waters of the Mississippi were rising, and it was with some difficulty that they reached a house near Concord that evening. This settlement was begun since the cession of Louisiana to the United States, by citizens of the Mississippi territory, who have established their residence altogether upon newly acquired lands, taken up under the authority of the Spanish commandant, and have gone to the expense of improvement, either in the names of themselves or others, before the 20th of December, 1803, hoping thereby to hold their new possessions under the sanction of the law.

Exclusive of the few actual residents on the banks of the Mississippi, there are two very handsome lakes in the interiour, on the banks of which similar settlements have been made. He crossed at the ferry, and at midday of the 26th reached his own house.

Dr. Hunter, and the remainder of the party, followed Mr. Dunbar down the Washita with the boat in which they had ascended the river, and, ascending the Mississippi, reached St. Catharine's landing on the morning of the 31st January, 1805.

Common names of some of the trees, shrubs, and plants growing in the vicinity of the Washita.

THREE kinds of white oak, four kinds of red oak, black oak, three kinds of hickory, one of which has an oblong nut, white and good, chinkapin, three kinds of ash, one of which is the prickly, three kinds of elm, two kinds of maple, two kinds of pine, red cedar, sweet gum, black gum, linden, two kinds of iron wood, growing on high and low lands, sycamore, box elder, holly, sweet bay, laurel, magnolia acuminata, black walnut, filbert, buckeye, dogwood, three kinds of locust, the three-thorned and honey locust, hazle, beech; wild plumb, the fruit red but not good; bois d'arc (bow wood) called also bois jaune (yellow wood) a famous yellow dye; three kinds of hawthorn, with berries, red, scarlet, and black; lote tree, for Indian arrows; bois de carbane, a small growth, and proper for hoops; two kinds of osier, myrtle, tooth-ache tree, and magnolia.

A vine, bearing large good black grapes in bunches, black grape, hill grape, yellow grape, muscadine, or fox grape, and a variety of other vines. The saw briar, single rose briar, and china root briar, wild goose berry, with a dark red fruit, three kinds of whortle berry, wild pomegranate, passion flower, two sorts of sumach, winter's berry, winter's green, a small red farinaceous berry like a haw, on a plant one inch high, which grows under the snow, and is eaten by the Indians; the silk plant, wild endive, wild olive, pink root, snake root, wild mint of three kinds, coloquintida (bitter apple) growing along the river side, clover, sheep's clover, life everlasting, wild liquorice, marygold, missletoe, thistle, wild hemp, bull rush, dittany, white and red poppy, yellow jessamine, poke, fern, capillaire, honeysuckle, mosses, petu to make ropes with, wormwood, hops, ipecacuanha, persicaria, Indian turnip, wild carrot, wild onion, ginger, wild cabbage, and bastard indigo.

PRESIDENT'S MESSAGE.

COMMUNICATION TO BOTH HOUSES OF CONGRESS, AT THE COMMENCEMENT OF THE SECOND SESSION OF THE NINTH CONGRESS, DECEMBER 2, 1806.

To the Senate and House of Representatives of the United States, in Congress assembled.

IT would have given me, Fellow Citizens, great satisfaction to announce, in the moment of your meeting, that the difficulties in our foreign relations, existing at the time of your separation, had been amicably and justly terminated. I lost no time in taking those measures which were most likely to bring them to such a termination, by special missions, charged with such powers and instructions as, in the event of failure, could leave no imputation on either our moderation or forbearance. The delays, which have since taken place in our negociations with the British Government, appear to have proceeded from causes which do not forbid the expectation that, during the course of the session, I may be enabled to lay before you their final issue. What will be that of the negociations for settling our differences with Spain, nothing which has taken place, at the date of the last dispatches, enables us to pronounce. On the western side of the Mississippi she advanced in considerable force, and took post at the settlement of Bayau Pierre, on the Red river. This village was originally settled by France, was held by her as long as she held Louisiana, and was delivered to Spain only as a part of Louisiana. Being small, insulated, and distant, it was not observed at the moment of re-delivery to France and the United States, that

she continued a guard of half a dozen men, which had been stationed there. A proposition, however, having been lately made by our commander in chief, to assume the Sabine river as a temporary line of separation between the troops of the two nations, until the issue of our negociations shall be known this has been referred by the Spanish commandant to his superiour, and in the mean time he has withdrawn his force to the western side of the Sabine river. The correspondence on this subject, now communicated, will exhibit more particularly the present state of things in that quarter.

The nature of that country requires indispensably that an unusual proportion of the force employed there should be cavalry or mounted infantry. In order therefore that the commanding officer might be enabled to act with effect, I had authorized him to call on the governours of Orleans and Mississippi for a corps of five hundred volunteer cavalry. The temporary arrangement he has proposed may perhaps render this unnecessary. But I inform you, with great pleasure, of the promptitude with which the inhabitants of those territories have tendered their services in defence of their country. It has done honour to themselves, entitled them to the confidence of their fellow citizens in every part of the Union, and must strengthen the general determination to protect them efficaciously under all circumstances which may occur.

Having received information that in another part of the United States a great number of private individuals were combining together, arming and organizing themselves, contrary to law, to carry on a military expedition against the territories of Spain, I thought it necessary, by proclamation, as well as by special orders, to take measures for preventing and suppressing this enterprize, for seizing the vessels, arms, and other means provided for it, and for arresting and bringing to justice its authors and abettors. It was due to that good faith which ought ever to be the rule of action in publick as well as in private transactions ; it was due to good order, and regular government, that, while the publick force was acting strictly on the defensive, and merely to protect our citizens from aggression, the criminal attempts of private individuals to decide, for their country, the question of peace or war, by commencing active and unauthorized hostilities, should be promptly and efficaciously suppressed.

Whether it will be necessary to enlarge our regular force, will depend on the result of our negociations with Spain. But as it is uncertain when that result will be known, the provisional measures requisite for that, and to meet any pressure intervening in that quarter, will be a subject for your early consideration.

The possession of both banks of the Mississippi reducing to a single point the defence of that river, its water, and the country adjacent, it becomes highly necessary to provide for that point a more adequate security. Some position above its mouth, commanding the passage of the river, should be rendered sufficiently strong to cover the armed vessels, which may be stationed there for defence ; and, in conjunction with them to present an insuperable obstacle to any force, attempting to pass. The approaches to the city of New-Orleans, from the eastern quarter also will require to be examined, and more effectually guarded. For the internal support of the country, the encouragement of a strong settlement on the western side of the Mississippi, within the reach of New-Orleans, will be worthy the consideration of the legislature.

The gun-boats authorized by an act of the last session, are so advanced, that they will be ready for service in the ensuing spring. Circumstances permitted us to allow the time necessary for their more solid construction. As a much larger number will still be wanting to place our sea-port towns and waters in that state of defence to which we are competent, and they en-

titled, a similar appropriation for a further provision of them is recommended for the ensuing year.

A further appropriation will also be necessary for repairing fortifications already established, and the erection of such other works as may have real effect in obstructing the approach of an enemy to our sea-port towns, or their remaining before them.

In a country whose constitution is derived from the will of the people, directly expressed by their free suffrages; where the principal executive functionaries, and those of the legislature, are renewed by them at short periods; where, under the characters of jurors, they exercise in person the greatest portion of the judiciary powers; where the laws are consequently so formed and administered as so bear with equal weight and favour on all, restraining no man in the pursuits of honest industry, and securing to every one the property which that acquires, it would not be supposed that any safeguards could be needed against insurrection, or enterprize, on the publick peace or authority. The laws, however, aware that these should not be trusted to moral restraints only, have wisely provided punishment for these crimes when committed. But would it not be salutary to give also the means of preventing their commission? Where an enterprize is meditated by private individuals, against a foreign nation, in amity with the United States, powers of prevention, to a certain extent, are given by the laws. Would they not be as reasonable, and useful, where the enterprize preparing is against the United States?—While adverting to this branch of law, it is proper to observe, that, in enterprizes meditated against foreign nations, the ordinary process of binding to the observance of the peace and good behaviour, could it be extended to acts to be done out of the jurisdiction of the United States, would be effectual in some cases where the offender is able to keep out of sight every indication of his purpose which could draw on him the exercise of the powers now given by law.

The states on the coast of Barbary seem generally disposed at present to respect our peace and friendship. With Tunis alone, some uncertainty remains. Persuaded that it is our interest to maintain our peace with them on equal terms, or not at all, I propose to send in due time a reinforcement into the Mediterranean, unless previous information shall shew it to be unnecessary.

We continue to receive proofs of the growing attachment of our Indian neighbours, and of their disposition to place all their interests under the patronage of the United States. These dispositions are inspired by their confidence in our justice and in the sincere concern we feel for their welfare. And as long as we discharge these high and honourable functions with the integrity and good faith which alone can entitle us to their continuance, we may expect to reap the just reward in their peace and friendship.

The expedition of Messrs. Lewis, and Clarke, for exploring the river Missouri, and the best communication from that to the Pacifick Ocean, has had all the success which could have been expected. They have traced the Missouri nearly to its source, descended the Columbia to the Pacifick Ocean, ascertained with accuracy the geography of that interesting communication across our continent, learnt the character of the country, of its commerce and inhabitants, and it is but justice to say that Messrs. Lewis and Clarke, and their brave companions, have, by this arduous service, deserved well of their country.

The attempt to explore the Red River, under the direction of Mr. Freeman, though conducted with a zeal and prudence meriting entire approbation, has not been equally successful. After proceeding up about six hundred miles nearly as far as the French settlements had extended, while the country was in their possession, our geographers were obliged to return without completing their work.

Very useful additions have also been made to our knowledge of the Mississippi, by Lieutenant Pike, who has ascended it to its source, and whose journal and map, giving the details of his journey, will shortly be ready for communication to both houses of congress. Those of Messrs. Lewis, Clarke and Freeman, will require further time to be digested and prepared. These important surveys, in addition to those before possessed, furnish materials for commencing an accurate map of the Mississippi and its western waters. Some principal rivers however remain still to be explored, towards which the authorisation of congress, by moderate appropriations, will be requisite.

I congratulate you, fellow-citizens, on the approach of the period at which you may interpose your authority constitutionally, to withdraw the citizens of the United States from all further participation in those violations of human rights, which have been so long continued on the unoffending inhabitants of Africa, and which the morality, the reputation, and the best interests of our country, have long been eager to proscribe. Although no law you may pass can take prohibitory effect till the first day of the year one-thousand eight hundred and eight, yet the intervening period is not too long to prevent, by timely notice, expeditions, which cannot be completed before that day.

The receipts at the treasury, during the year ending on the 30th day of Sept. last, have amounted to near fifteen millions of dollars: which have enabled us, after meeting the current demands, to pay two millions seven hundred thousand dollars of the American claims, in part of the price of Louisiana; to pay, of the funded debt, upwards of three millions of principal, and nearly four of interest, and in addition to reimburse, in the course of the present month, near two millions of five and a half per cent. stock. These payments and reimbursements of the funded debt, with those which have been made in the four years and a half preceding, will, at the close of the present year, have extinguished upwards of 23 millions of principal.

The duties composing the Mediterranean fund will cease, by law, at the end of the present session. Considering, however, that they are levied chiefly on luxuries, and that we have an impost of salt, a necessary of life, the free use of which otherwise is so important, I recommend to your consideration the suppression of the duties on salt, and the continuation of the Mediterranean fund, instead thereof, for a short time, after which that also will become unnecessary for any purpose now within contemplation.

When both of these branches of revenue shall, in this way, be relinquished, there will still, ere long, be an accumulation of monies in the treasury, beyond the instalments of publick debt which we are permitted by contract to pay. They cannot then, without a modification, assented to by the publick creditors, be applied to the extinguishment of this debt, and the complete liberation of our revenues, the most desirable of all objects. Nor, if our peace continues, will they be wanting for any other existing purpose. The question, therefore, now comes forward, to what other objects shall these surplusses be appropriated, and the whole surplus of impost, after the entire discharge of the publick debt, and during those intervals when the purposes of war shall not call for them? Shall we suppress the impost, and give that advantage to foreign over domestick manufactures? On a few articles, of more general and necessary use, the suppression, in due season, will doubtless be right; but the great mass of the articles, on which impost is paid, are foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them.—Their patriotism would certainly prefer its continuance and application to the great purposes of the publick education, roads, rivers, canals, and such other objects of publick improvement as it may be thought proper to add to the constitutional enumeration of fed-

eral powers. By these operations, new channels of communication will be opened between the States ; the lines of separation will disappear, their interests will be identified, and their union cemented by new and indissoluble ties. Education is here placed among the articles of publick care, not that it would be proposed to take its ordinary branches out of the hands of private enterprize, which manages so much better all the concerns to which it is equal ; but a publick institution can alone supply those sciences, which, though rarely called for, are yet necessary to complete the circle, all the parts of which contribute to the improvement of the country, and some of them to its preservation. The subject is now proposed for the consideration of congress, because, if approved, by the time the state legislatures shall have deliberated on this extension of the federal trusts and the laws shall be passed, and other arrangements made for their execution, the necessary funds will be on hand, and without employment. I suppose an amendment of the constitution, by the consent of the States, necessary, because the objects now recommended are not among those enumerated in the constitution, and to which it permits the publick monies to be applied.

The present consideration for a national establishment for education particularly, is rendered proper by this circumstance also, that, if Congress, approving the proposition, shall yet think it more eligible to found it on a donation of lands, they have it now in their power to endow it with those which will be among the earliest to produce the necessary income. This foundation would have the advantage of being independent on war, which may suspend other improvements by requiring for its own purposes the resources destined for them.

This, fellow citizens, is the state of the publick interests, at the present moment, and according to the information now possessed. But such is the situation of the nations of Europe, and such too the predicament in which we stand with some of them, that we cannot rely with certainty on the present aspect of our affairs, that may change from moment to moment, during the course of your session, or after you shall have separated. Our duty therefore is to act upon things as they are, and to make a reasonable provision for whatever they may be. Were armies to be raised whenever a speck of war is visible in our horizon, we never should have been without them. Our resources would have been exhausted on dangers which have never happened, instead of being reserved for what is really to take place. A steady, perhaps a quickened pace, in preparations for the defence of our seaport towns and waters, an early settlement of the most exposed and vulnerable parts of our country, a militia so organized that its effective portions can be called to any point in the union, or volunteers instead of them, to serve a sufficient time, are means which may always be ready, yet never preying on our resources until actually called into use. They will maintain the publick interests, while a more permanent force shall be in a course of preparation. But much will depend on the promptitude with which these means can be brought into activity. If war be forced upon us in spite of our long and vain appeals to the justice of nations, rapid and vigorous movements, in its outset, will go far towards securing us in its course and issue, and towards throwing its burthens on those who render necessary the resort from reason to force.

The result of our negociations, or such incidents in their course as may enable us to infer their probable issue ; such further movements also, on our western frontiers as may shew whether war is to be pressed there, while negociation is protracted elsewhere, shall be communicated to you from time to time, as they become known to me ; with whatever other information I possess or may receive, which may aid your deliberations on the great national interests committed to your charge. TH. JEFFERSON.